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THE

LAW REPORTS.

335-N

The Public General Statutes,

PASSED IN THE FIRST AND SECOND YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH.

1911.

VOL. XLIX.

LONDON:
PRINTED BY EYRE AND SPOTTISWOODE, LTD.,
FOR
ROWLAND BAILEY, Esq., C.B., M.V.O.,
PRINTER TO HIS MAJESTY OF ALL ACTS OF PARLIAMENT,
And Published by the Council of Law Reporting,
10, OLD SQUARE, LINCOLN'S INN, W.C.

1911.

BIBL.
LONDIN.

56833

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TABLE I.

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TABLE

OF

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1 & 2 GEORGE 5.—A.D. 1911.

1. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and ten, one thousand nine hundred and eleven, and one thousand nine hundred and twelve. (*Consolidated Fund* (*No.* 1).)

2. An Act to amend the Law relating to Inland Revenue (including Excise) and the National Debt, and for other purposes connected with Finance. (*Revenue.*)

3. An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army. (*Army* (*Annual*).)

4. An Act to provide for the protection of the public against dangers arising from the Navigation of Aircraft. (*Aerial Navigation.*)

5. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and twelve. (*Consolidated Fund* (*No.* 2).)

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7. An Act to amend the Municipal Elections (Corrupt and Illegal Practices) Act, 1884. (*Municipal Elections* (*Corrupt and Illegal Practices*).)

8. An Act to remove certain doubts as to the true interpretation of the Merchant Shipping Acts, 1894 to 1906, in respect of the Payment of Seamen's Allotment Notes (*Merchant Shipping* (*Seamen's Allotment*).)

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10. An Act to amend the Law relating to the share of Intestate Husband's Estate falling to the Widow in Scotland. (*Intestate Husband's Estate* (*Scotland*).)

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25. An Act to amend the Government of India Act, 1858. (*Government of India Act Amendment.*)

26. An Act to make provision in relation to the transfer to the Postmaster General of the plant, property, and assets, and of the staff of the National Telephone Company, Limited, and for the further improvement of Telephonic Communication. (*Telephone Transfer.*)

27. An Act to consolidate, amend, and extend certain enactments relating to Animals and to Knackers; and to make further provision with respect thereto. (*Protection of Animals.*)

28. An Act to re-enact the Official Secrets Act, 1889, with amendments. (*Official Secrets.*)

29. An Act to amend the Parsonages Act, 1838, and the Church Building Act, 1839. (*Parsonages.*)

30. An Act to extend the powers of the Public Health (Scotland) Act, 1897. (*Public Health (Scotland) Act (1897) Amendment.*)

31. An Act to amend Section Sixteen of the Merchandise Marks Act, 1887. (*Merchandise Marks.*)

32. An Act to make provision for the better administration by the Central and Local Authorities in England and Wales of the Enactments relating to Education. (*Education (Administrative Provisions) (No. 2).*)

33. An Act to amend the Law relating to the Harbours of the Isle of Man. (*Isle of Man Harbours.*)

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37. An Act to amend the Conveyancing and Law of Property Act, 1881. (*Conveyancing.*)

38. An Act to amend the Money-lenders Act, 1900. (*Money-lenders.*)

39. An Act to facilitate the construction and maintenance of Telegraphic Lines. (*Telegraph (Construction).*)

40. An Act to provide for the appointment of two additional Commissioners in Lunacy and to transfer the power of making Vesting Orders from the Judge in Lunacy to the High Court. (*Lunacy.*)

41. An Act to enlarge the remedies of persons having claims for work done in connection with the stowing or discharging of ships' cargoes or the trimming of coal on board ships. (*Merchant Shipping (Stevedores and Trimmers).*)

42. An Act to give jurisdiction under section seventy-six and Part VIII. of the Merchant Shipping Act, 1894, to certain British Courts in foreign countries. (*Merchant Shipping.*)

43. An Act to extend the provisions of the Medical Acts to the University of Wales and to Graduates in Medicine and Surgery thereof. (*University of Wales (Medical Graduates).*)

44. An Act to amend the Military Manœuvres Act, 1897. (*Military Manœuvres.*)

45. An Act to amend the Law in Ireland with respect to the use of Locomotives on Public Roads, and with respect to extraordinary Traffic. (*Public Roads (Ireland).*)

46. An Act to amend and consolidate the Law relating to Copyright. (*Copyright.*)

47. An Act to declare the effect of the Naval Discipline Acts when applied by the legislatures of self-governing Dominions to the Naval Forces raised by such Dominions. (*Naval Discipline (Dominion Naval Forces).*)

48. An Act to grant certain duties of Customs and Inland Revenue, to alter other duties, and to amend the Law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make other provisions for the financial arrangements of the year. (*Finance.*)

49. An Act to encourage the formation of Small Agricultural Holdings in Scotland, and to amend the Law relating to the Tenure of such Holdings (including Crofters' Holdings); to establish a Board of Agriculture for Scotland; and for other purposes connected therewith. (*Small Landholders* (*Scotland*).)

50. An Act to consolidate and amend the Law relating to Coal Mines and certain other mines. (*Coal Mines.*)

51. An Act to amend the Burgh Police (Scotland) Acts so as to provide for the further Regulation of Places for Public Refreshment in Scotland. (*Burgh Police* (*Scotland*) *Amendment.*)

52. An Act to prohibit the sale and use for the purpose of the manufacture of certain articles of unclean Flock manufactured from Rags. (*Rag Flock.*)

53. An Act to amend the Law as to the Letting and Rating of small Dwelling-houses in Scotland; and for other purposes relating thereto. (*House Letting and Rating* (*Scotland*).)

54. An Act to amend and extend the Shops Regulation Acts, 1892 to 1904. (*Shops.*)

55. An Act to provide for Insurance against Loss of Health and for the Prevention and Cure of Sickness and for Insurance against Unemployment, and for purposes incidental thereto. (*National Insurance.*)

56. An Act to amend the Telephone Transfer Act, 1911, so as to authorise a payment to be made to the National Telephone Company, Limited, of a sum on account of the Telephone Purchase Money before the amount thereof is finally ascertained. (*Telephone Transfer Amendment.*)

57. An Act to amend the Law relating to Merchant Shipping with a view to enabling certain Conventions to be carried into effect. (*Maritime Conventions.*)

58. An Act to amend the Law with respect to the salaries, superannuation, appointment, and powers of Resident Magistrates for the city of Belfast. (*Resident Magistrates* (*Belfast*).)

THE

PUBLIC GENERAL STATUTES.

1 & 2 George 5.

CHAPTER 1.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and ten, one thousand nine hundred and eleven, and one thousand nine hundred and twelve. [29th March 1911.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 476,815*l*. 11*s* 8*d*. out of the Consolidated Fund for the service of the years ending 31st March 1910 and 1911.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the years ending on the thirty-first day of March one thousand nine hundred and ten and one thousand nine hundred and eleven, the sum of four hundred and seventy-six thousand eight hundred and fifteen pounds eleven shillings and eightpence.

Issue of 35,510,500*l*. out of the Consolidated Fund for the service of the year ending 31st March 1912.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and twelve, the sum of thirty-five million five hundred and ten thousand five hundred pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole thirty-five million nine hundred and eighty-seven thousand three hundred and fifteen pounds eleven shillings and eightpence.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and twelve, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1911.

CHAPTER 2.

An Act to amend the Law relating to Inland Revenue (including Excise) and the National Debt, and for other purposes connected with Finance. [31st March 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Duties on Land Values.

Avoidance of contracts for payment of increment value duty by transferee or lessee.

1. Any contract made after the passing of this Act between a transferor and transferee or a lessor and lessee for the payment by the transferee or lessee, as the case may be, of increment value duty, or any expenses incurred in connexion with the payment or assessment of the duty, or for the repayment or re-imbursement by the transferee or lessee to the transferor or lessor in any manner of any payments made by the transferor or lessor in respect of that duty or any such expenses, shall be void.

Amendment of s. 2 (3) of the principal Act.

2. Subsection (3) of section two of the principal Act (which relates to the definition of increment value) shall apply to the case of any transfer on sale of the fee simple of the land or of any interest in the land which took place twenty years or more before the thirtieth day of April nineteen hundred and nine, and which was a transfer to the person who is the owner of the land or any interest in the land at the time when an application is made under that provision, as it applies to the case of a transfer on sale which took place within twenty years before the thirtieth day of April, nineteen hundred and nine.

In the cases where the original site value has been finally settled before the passing of this Act, an application may be made, notwithstanding anything in subsection (3) of section two of the principal Act, under that subsection, for the purpose of giving effect to this provision within three months after the date of the passing of this Act, and the Commissioners shall, in such a case, alter the original site value as finally settled in such manner (if any) as may be necessary to give effect to the amendment made by this provision, and, in cases where any amount has been paid on account of duty, the Commissioners shall make such repayment as may be necessary to adjust the amount paid to any alteration of value made in pursuance of this provision.

Explanation and amendment of law as to reversion duty.

3.—(1) It is hereby declared that in relation to a lease which has determined the person in whom the lessor's interest was vested immediately before the expiration of the term for which the lease was granted, or, if the lease has determined before that time, immediately before the transaction or event in consequence of which the lease has determined, is the lessor for the purpose of section fifteen of the Finance (1909–10) Act, 1910 (in this Act referred to as the principal Act), and is the person to whom any benefit accrues from or by reason of the determination of the lease for the purpose of the other provisions of that Act relating to reversion duty.

10 Edw. 7. c. 8.

(2) Where, whether before or after the passing of this Act, a lease of any land determines on the vesting of the lessor's interest and the lessee's interest in the same person before the expiration of the term for which the lease was granted, the amount of the reversion duty (if any) payable shall not be the full duty, but such an amount as would, with compound interest at the rate of four per centum per annum for the residue of the term for which the lease was granted, produce the amount of the full duty.

For the purposes of this provision the full duty means the duty (if any) which would have become payable if the lease had not determined until the expiration of the term for which it was granted, and, if the total value of the land were at that time the same, as it is when the lease actually determines.

C.I.R. v M/Anglesey
1913. 3 KB 62.

(3) No reversion duty shall be charged on the determination of any lease of land where the lease is determined in pursuance of an agreement between the lessor and the lessee for the acquisition by the lessee of the lessor's interest, if at the time of the determination of the lease—

(*a*) the lease has at least fifty years of its term to run; and

(*b*) the total value of the land does not exceed five hundred pounds.

(4) Where a lease of any land held upon trust for any body of persons is determined before the expiration of the term of the lease by the surrender thereof to the lessor upon the terms that he shall grant to those persons severally leases of various plots of land representing in the aggregate the whole of the land comprised in the original lease, for a term in each case equal to the unexpired term of the residue of the original lease, and at rents amounting in the aggregate to but not exceeding the rent reserved by the original lease, no reversion duty shall be payable on the determination of the lease:

Provided that the lessor shall, in any case to which this provision applies, deliver an account under section fifteen of the principal Act in the same manner as if reversion duty were payable on the determination of the lease.

(5) Subsection (3) of section fourteen of the principal Act shall cease to have effect and shall be deemed never to have had effect.

Amendment of s. 16 (2) (*b*) of the principal Act.

4. Twenty years shall be substituted for ten years as the limit of time for taking expenditure into account for the purposes of paragraph (*b*) of subsection (2) of section sixteen of the principal Act.

Amendment of s. 26 (1) of the principal Act.

5. Notwithstanding anything in subsection (1) of section twenty-six of the principal Act, the Commissioners may, on the request of the owner of any pieces of land which are contiguous, and which do not in the aggregate exceed one hundred acres in extent, value those pieces of land together for the purposes of that Act, although those pieces of land are under separate occupation, if they are satisfied that in the special circumstances of the case it is equitable to do so; and any such valuation may be made under this provision, although any of the pieces of land have been valued before the passing of this Act, if the request for the valuation under this provision is made by the owner of the land within three months after the passing of this Act, and in that case any valuation previously made shall be of no effect.

Saving in respect of the payment of increment value duty by certain statutory companies.

6. Notwithstanding anything contained in the principal Act, where under the provisions of any lease or agreement any statutory company are required to pay over any part of the increment value of any land to His Majesty, or to any person on behalf of His Majesty, or any Department of Government, that part of the increment value shall, for the purposes of the provisions of the said Act as to the collection of increment value duty, be treated as increment value arising in respect of land held by His Majesty.

Right of Commissioners of Inland Revenue to appeal against decision of referee.

7. It is hereby declared that the Commissioners of Inland Revenue, if dissatisfied with the decision of a referee, have under subsection (4) of section thirty-three of the principal Act a right of appeal to the High Court against the decision as persons aggrieved within the meaning of that provision.

C. I. R. v Joicey (No 1) 1913 1 KB 445.

Part II.

Excise.

Annual value for the purpose of excise licences.

Truman Hanbury & Buxton v. C I R 1912 3 KB 377.

8.—(1) The annual value of any premises for the purpose of the duty on any excise licence charged by reference to annual value shall be in England and Scotland—

(*a*) the inhabited house duty value if there is such a value applicable; and

(*b*) in a case where there is no inhabited house duty value applicable, the income tax value if there is such a value applicable; and

(*c*) if there is neither an inhabited house duty value nor an income tax value applicable, the annual value as determined by the Commissioners of Customs and Excise in accordance with the Acts relating to excise, but having regard in all cases to any decrease in the annual value resulting from any increase under the provisions of the principal Act in the licence duty.

For the purposes of this provision the inhabited house duty value means the value as adopted for the purposes of inhabited house duty, and the income tax value means the value as adopted for the purposes of income tax under Schedule A. of the Income Tax Act, 1853, and the inhabited house duty value or the income tax value, as the case may be, shall be deemed to be applicable if the premises to which a value is attached for the purpose of those duties or either of them correspond with the premises the annual value of which is required for the purpose of the charge of the duty on the licence, except in cases where it is shown to the Commissioners of Customs and Excise that in the determination of the inhabited house duty value or income tax value, as the case may be, no regard has been had to any decrease in the annual value resulting from any increase under the provisions of the principal Act as amended by this Act in the licence duty.

16 & 17 Vict. c. 34.

(2) In Ireland the annual value of any premises for the purpose of the duty on any excise licence charged by reference to annual value shall be determined by the Commissioners of Customs and Excise in accordance with the Acts relating to Excise, but subject to the provisions of subsection (7) of section forty-three of the Inland Revenue Act, 1880, and having regard in all cases to any decrease in the annual value resulting from any increase under the provisions of the principal Act as amended by this Act in the licence duty.

43 & 44 Vict. c. 20.

(3) The foregoing provisions of this section shall be substituted for subsection (1) of section forty-four of the principal Act, and that subsection shall cease to have effect.

(4) This section shall have effect as respects licences granted after the passing of the principal Act and in force at the time of the passing of this Act; and if, in respect of the period for which any such licence was granted, any sum has been paid as duty on the licence in excess of the sum which would have been

paid if this section had been in force at the date of the grant of the licence, the excess shall be repaid.

Recovery of instalments of unpaid duty on licence in force at time of passing of Act.

9. Where, since the date of the passing of the principal Act, any licence on which duty is charged under Part II. of that Act and which is in force at the time of the passing of this Act has been granted on payment of a portion only of the duty, whether in pursuance of subsection (3) of section forty-nine of the principal Act or not, any portion of the duty not paid may, without prejudice to the operation of the said subsection in cases where that subsection is applicable, be recovered from the licence-holder as a debt due to His Majesty.

Section 4 of 1 & 2 Will. 4. c. 32 not to apply to live game birds in certain cases.

10. So much of section four of the Game Act, 1831, as makes it an offence for any person to buy or sell or have in his house, possession, or control game birds after the dates therein specified, shall not apply where the game is live game, and the person buying, selling, or having in his house, possession, or control the game, is keeping or intending to keep the game solely for the purpose of breeding or for sale alive, and either is licensed at the time to deal in game, or is a holder of a certificate or licence to kill game in force at the time.

The amendments made by this section shall have effect in the Game Act, 1831, as applied by any subsequent enactment as well as in that Act as originally enacted.

PART III.

INCOME TAX.

Assessment and recovery of part of supertax from wife in certain cases.

11.—(1) Where a husband is required under subsection (2) of section seventy-two of the principal Act, to make a return of his total income from all sources for the purpose of supertax and part of that total income is the income of his wife, the Special Commissioners may, if for any reason they consider that they are unable to obtain a satisfactory return of the wife's income from the husband, require the wife to make a return of her income, and in that case the wife shall be under the like obligation to make a return under the said section as if she were not married, and the husband shall be relieved from any obligation to make such a return as respects the income of the wife.

(2) Where supertax is charged in a case where the wife has been required to make a return under the foregoing provision, such part of the total sum payable in respect of the supertax as bears the same proportion to that total sum as the wife's income bears to the total income shall be assessed on and recoverable from the wife in lieu of the husband.

(3) This section shall have effect with respect to the supertax charged for the year beginning the sixth day of April nineteen hundred and nine and for any subsequent year as if it had been contained in the principal Act, and the provisions of that Act with regard to the assessment and collection of super-

tax, and the penalties for failure to make a return, shall apply accordingly.

Extension of the right to claim exemptions, &c. from income tax in certain cases to widows resident abroad who are in receipt of pensions.

12. The proviso to subsection (1) of section seventy-one of the principal Act (which gives the right to persons resident abroad to claim relief, exemption, or abatement from income tax in certain cases) shall apply to a widow who is in receipt of a pension chargeable with income tax and granted to her in consideration of the employment of her late husband in the service of the Crown as it applies to the persons described in the proviso.

Amendment as to ownership of securities for the purpose of s. 71 (2) of the principal Act.

13. When the securities of a Foreign State or British Possession are held under any trust, and the person who is the beneficiary in possession under the trust is the sole beneficiary in possession and can, by means either of the revocation of the trust or of the exercise of any powers under the trust, call upon the trustees at any time to transfer the securities to him absolutely free from any trust, that person shall be deemed to be the person owning the securities for the purpose of subsection (2) of section seventy-one of the principal Act (which exempts from income tax under certain circumstances the interest and dividends of the securities of a foreign State or British Possession).

Provisions as to payment of income tax in any year previously to the passing of the Act imposing the tax for that year.

14.—(1) Where in any income tax year any half-yearly or quarterly payments have been made on account of any dividend, interest, or other annual profits or gains, previously to the passing of the Act imposing the tax for that year, and income tax has not been charged thereon or deducted therefrom, or has not been charged thereon or deducted therefrom at the rate ultimately charged for the said year, the amount not so charged or deducted shall be charged under Schedule D. in respect of those payments as profits or gains not charged by virtue of any other Schedule, in accordance with the provisions contained in the sixth case of Schedule D. in section one hundred of the Income Tax Act, 1842, and the agents entrusted with the payment of the dividends, interest, or other annual profits or gains shall furnish a list containing the names and addresses of the persons to whom payments have been made, and the amount of those payments, to the Commissioners of Inland Revenue, upon a requisition made by the Commissioners in that behalf.

5 & 6 Vict. c. 35.

(2) Any person liable to pay any rent, interest, or annuity, or to make any other annual payment, shall be authorised to make any deduction on account of income tax for any income tax year which he has failed to make previously to the passing of the Act imposing the tax for that year, or to make up any deficiency in any such deduction which has been so made on the occasion of the next payment of the rent, interest, or annuity, or making of the other annual payment after the passing of the Act so imposing the tax, in addition to any other deduction which he may be by law authorised to make, and shall also be

entitled, if there is no future payment from which the deduction may be made, to recover the sum which might have been deducted as if it were a debt due from the person as against whom the deduction could originally have been made if the Act imposing income tax for the year had been in force.

(3) In this section the expression "income tax year" means the year beginning the sixth day of April.

Part IV.

Stamps.

Exemption in certain cases of leases from increased stamp duty so far as consideration consists of a capital sum.

15. Where the consideration, or any part of the consideration, for any lease or tack consists of any money, stock, or security (other than rent) the amount or value of which does not exceed five hundred pounds, and the instrument contains a statement certifying that the transaction thereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration other than rent exceeds five hundred pounds, section seventy-five of the principal Act shall not apply to the duty chargeable in respect of the consideration, or part thereof, which so consists of any money, stock, or security other than rent, but duty shall be charged in respect thereof as if that Act had not passed:

Provided that this section shall not apply in any case where part of the consideration for any lease or tack consists of rent, and that rent exceeds the sum of twenty pounds a year.

Part V.

Provisions as to Payments for Local Authorities.

Repeal of s. 91 of 10 Edw. 7. c. 5.

16. Section ninety-one of the principal Act (which provides for the payment of half the proceeds of the duties on land values for the benefit of local authorities) shall be suspended in its operation as from the date of the principal Act until Parliament shall otherwise determine, but not beyond the thirty-first day of March, nineteen hundred and fourteen.

Payment to Local Taxation Account of fixed sum in respect of the local taxation (Customs and Excise) duties. 7 Edw. 7. c. 13.

17.—(1) The sum to be paid in respect of the local taxation (Customs and Excise) duties into the Local Taxation Account, and the Local Taxation (Scotland) Account, and the Local Taxation (Ireland) Account respectively, under subsection (2) of section seventeen of the Finance Act, 1907, shall, in the current and every subsequent financial year until Parliament otherwise determines, instead of being a sum equal to the amount which would have been paid as the proceeds of those duties if that Act had not passed, be a sum equal to the amount of the English, Scottish, and Irish shares respectively of the proceeds of those duties during the financial year ending the thirty-first day of March nineteen hundred and nine.

(2) There shall in addition be paid into each of the said Local Taxation Accounts during the current financial year out

of the Consolidated Fund or the growing produce thereof, any amount by which the sum payable into that Account in respect of the proceeds of the local taxation (Customs and Excise) duties in the financial year ending the thirty-first day of March nineteen hundred and ten fell short of the sum which would have been so payable if this Act had been in force during that year, and any additional amount so paid into any Local Taxation Account shall be distributed and dealt with as if it were an addition to the sum paid into that account in respect of the local taxation (Customs and Excise) duties.

Extension of s. 88 of 10 Edw. 7. c. 8 to all carriage licences.

18.—(1) So much of subsection (2) of section eighty-eight of the principal Act as provides for the payment of a part of the proceeds of the duties on licences for motor cars in England and Wales into the Exchequer, and for the payment out of the Consolidated Fund to the council of a county or county borough of any deficiency in the proceeds of those duties, shall extend to the proceeds of the duties on all carriage licences (whether licences for motor cars or not), and that provision shall be construed accordingly.

(2) Notwithstanding anything in section seventeen of the Finance Act, 1907, or in subsection (1) of section eighty-eight of the principal Act, the sum to be paid out of the Consolidated Fund into the Local Taxation (Scotland) Account in pursuance of subsection (2) of section seventeen of the Finance Act, 1907, in respect of the proceeds of the duties on carriage licences, shall be the amount of the proceeds of those duties during the year ending the thirty-first day of March nineteen hundred and nine.

(3) Section ninety of the principal Act (which relates to the payment out of the Consolidated Fund of a sum equal to the net proceeds of the duties on motor spirit and motor car licences as the road improvement grant) shall be construed as if a reference to the duties on carriage licences were substituted in that section for the references to the duties on licences for motor cars which were affected by that Act and to the duties payable on licences for motor cars.

(4) In this section, the expression "duties on carriage licences" means the duties on all licences for carriages, including any duty charged under subsection (1) of section eight of the Locomotives on Highways Act, 1896, and any duty charged under section eighty-six of the principal Act in respect of motor cars.

59 & 60 Vict. c. 36.

Part VI.

National Debt.

Provision as to old sinking fund for current financial year.

38 & 39 Vict. c. 45.

19. For the purpose of calculating the old sinking fund for the financial year ending the thirty-first day of March nineteen hundred and eleven sections four and five of the Sinking Fund Act, 1875, shall have effect as if the income and expenditure therein referred to were the aggregate income and aggregate expenditure respectively for the two financial years ending the thirty-first day of March nineteen hundred and ten and the thirty-first day of March nineteen hundred and eleven.

Part VII.

Miscellaneous.

Repeal, construction, and short title.

20.—(1) The enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

(2) Part I. of this Act shall be construed together with Part I. of the principal Act.

Part. II. of this Act shall be construed together with the Acts which relate to duties of Excise and the management of those duties.

Part III. of this Act shall be construed together with the Income Tax Acts, 1842 and 1853, and any other enactments relating to income tax.

5 & 6 Vict. c. 35.
16 & 17 Vict. c. 34.
54 & 55 Vict. c. 39.

Part IV. of this Act shall be construed together with the Stamp Act, 1891.

(3) This Act may be cited as the Revenue Act, 1911.

SCHEDULE.

Section 20.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
10 Edw. 7. c. 8.	Finance (1909–10) Act, 1910.	Section fourteen, subsection (3); section forty-four, subsection (1); the words "and on licences for motor cars" in subsection (1) of section eighty-eight; subsection (3) of section eighty-eight; and section ninety-one.

CHAPTER 3.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.

[28th April 1911.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of one hundred and eighty-six thousand four hundred, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

And whereas the Army Act will expire in the year one thousand nine hundred and eleven on the following days:— 44 & 45 Vict. c. 58.

(*a*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Army (Annual) Act, 1911. Short title

2.—(1) The Army Act shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament (that is to say):— Army Act to be in force for specified times.

(*a*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and eleven to the thirtieth day of April one thousand nine hundred and twelve, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July one thousand nine hundred and eleven to the thirty-first day of July one thousand nine hundred and twelve, both inclusive.

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the Schedule to this Act.

AMENDMENTS OF ARMY ACT.

Amendment of section 114 of the Army Act with respect to lists of carriages and animals.

4.—(1) The power conferred on police authorities by section one hundred and fourteen of the Army Act of causing lists to be made out of persons liable to furnish carriages and animals and of the number and description of the carriages and animals of such persons may in England and Scotland be exercised either by the police authority or by the county association established under the Territorial and Reserve Forces Act, 1907, and accordingly in that section the words "the authority hereinafter mentioned" shall be substituted for the words "the police authority," wherever those words occur, and at the end of the section the following subsection shall be added:—

7 Edw. 7. c. 9.

"(4) The authority for the purposes of this section shall, in England and Scotland, be either the police authority or the county association established under the Territorial and Reserve Forces Act, 1907, and in Ireland the police authority."

(2) After subsection (1) of the same section the following subsection shall be inserted:

"(1a) For the purpose of assisting the authority hereinafter mentioned in the preparation of such list as aforesaid, any proper officer authorised in that behalf by the authority shall be entitled at all reasonable times to enter any premises in which he has reason to believe that any carriages or animals are kept, and to inspect any carriages or animals which may be found therein.

"If any such officer so authorised is obstructed in the exercise of his powers under this provision, a justice of the peace may, if satisfied by information on oath that the officer has been so obstructed, issue a search warrant authorising the constable named therein, accompanied by the officer, to enter the premises in respect of which the obstruction took place at any time between six o'clock in the morning and nine o'clock in the evening, and to inspect any carriages or animals that may be found therein.

"In this provision the expression 'proper officer' means any officer or person of such rank, class, or description as may be specified in an order of the Army Council made for the purpose."

Amendment of section 145 of the Army Act with respect to deductions on account of process money.

5. The following provision shall be inserted at the end of subsection (3) of section one hundred and forty-five of the Army Act (which relates to the liability of a soldier to maintain his wife and children):—

"Where, by an order or decree sent to the Army Council or officer in accordance with subsection (2) of this section, the soldier is adjudged to pay as costs incurred in obtaining the order or decree any sum left in the hands of the commanding officer under this subsection, the Army Council may cause a sum equal to the sum so left to be paid in liquidation of the sum so adjudged to be paid as costs, and the amount so paid by the Army Council shall be a public debt from the soldier against whom the order or decree was made, and, without prejudice to any other method of recovery, may be recovered by deductions from his daily pay, in addition to those mentioned in subsection (2) of this section."

SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Sixpence per night.
Breakfast as specified in Part I. of the Second Schedule to the Army Act.	Fourpence each.
Dinner as so specified - - - - - -	Elevenpence halfpenny each.
Supper as so specified - - - - - -	Twopence halfpenny each.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Sixpence per day.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer - - -	Two shillings per night.

Note.—An officer shall pay for his food.

Amended by the Aerial Navigation Act 1913 (c. 22) and the Air Navigation Act 1919 (c. 3) Repealed by the Air Navigation Act 1920 (c. 80)

CHAPTER 4.

An Act to provide for the protection of the public against dangers arising from the Navigation of Aircraft.

[2nd June 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to prohibit navigation of aircraft over prescribed areas.

1.—(1) A Secretary of State may, for the purpose of protecting the public from danger, from time to time by order prohibit the navigation of aircraft over such areas as may be prescribed in the order, and, if any person navigates an aircraft over any such area in contravention of any such order, he shall be guilty of an offence under this Act, unless he proves that he was compelled to do so by reason of stress of weather or other circumstances over which he had no control.

(2) Any such order may apply either generally to all aircraft or to aircraft of such classes and descriptions only as may be specified in the order, and may prohibit the navigation of aircraft over any such prescribed area either at all times or at such times or on such occasions only as may be specified in the order, and either absolutely or subject to such exceptions or conditions as may be so specified.

Penalties for offences.

2.—(1) If any person is guilty of an offence under this Act, he shall be liable on conviction on indictment or on summary conviction to imprisonment for a term not exceeding six months, or to a fine not exceeding two hundred pounds, or to both such imprisonment and fine.

(2) Any person aggrieved by a summary conviction under this Act may, in England or Ireland, appeal to a court of quarter sessions, and in Scotland in like manner as in the case of a conviction under the Motor Car Act, 1903, as provided by section eighteen of that Act.

3 Edw. 7. c. 36.

Short title.

3. This Act may be cited as the Aerial Navigation Act, 1911.

CHAPTER 5.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and twelve.

[29th June 1911.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and twelve the sum of seventeen million six hundred and seven thousand five hundred and twenty-one pounds.

Issue of 17,607,521*l.* out of the Consolidated Fund for the service of th year ending 31st March 1912.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole seventeen million six hundred and seven thousand five hundred and twenty-one pounds.

Power for the Treasury to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March one thousand nine hundred and twelve, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

3. This Act may be cited as the Consolidated Fund (No. 2) Act, 1911.

Short title.

CHAPTER 6.

An Act to consolidate and simplify the Law relating to Perjury and kindred offences. [29th June 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) If any person lawfully sworn as a witness or as an interpreter in a judicial proceeding wilfully makes a statement

Perjury.

material in that proceeding, which he knows to be false or does not believe to be true, he shall be guilty of perjury, and shall, on conviction thereof on indictment, be liable to penal servitude for a term not exceeding seven years, or to imprisonment with or without hard labour for a term not exceeding two years, or to a fine or to both such penal servitude or imprisonment and fine.

(2) The expression "judicial proceeding" includes a proceeding before any court, tribunal, or person having by law power to hear, receive, and examine evidence on oath.

(3) Where a statement made for the purposes of a judicial proceeding is not made before the tribunal itself, but is made on oath before a person authorised by law to administer an oath to the person who makes the statement, and to record or authenticate the statement, it shall, for the purposes of this section, be treated as having been made in a judicial proceeding.

(4) A statement made by a person lawfully sworn in England for the purposes of a judicial proceeding—

(*a*) in another part of His Majesty's dominions; or

(*b*) in a British tribunal lawfully constituted in any place by sea or land outside His Majesty's dominions; or

(*c*) in a tribunal of any foreign state,

shall, for the purposes of this section, be treated as a statement made in a judicial proceeding in England.

(5) Where, for the purposes of a judicial proceeding in England, a person is lawfully sworn under the authority of an Act of Parliament—

(*a*) in any other part of His Majesty's dominions; or

(*b*) before a British tribunal or a British officer in a foreign country, or within the jurisdiction of the Admiralty of England;

a statement made by such person so sworn as aforesaid (unless the Act of Parliament under which it was made otherwise specifically provides) shall be treated for the purposes of this section as having been made in the judicial proceeding in England for the purposes whereof it was made.

(6) The question whether a statement on which perjury is assigned was material is a question of law to be determined by the court of trial.

False statements on oath made otherwise than in a judicial proceeding.

2. If any person—

(1) being required or authorised by law to make any statement on oath for any purpose, and being lawfully sworn (otherwise than in a judicial proceeding) wilfully makes a statement which is material for that purpose and which he knows to be false or does not believe to be true; or

41 & 42 Vict. c. 31.

(2) wilfully uses any false affidavit for the purposes of the Bills of Sale Act, 1878, as amended by any subsequent enactment,

he shall be guilty of a misdemeanour, and, on conviction thereof on indictment, shall be liable to penal servitude for a term not exceeding seven years or to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine or to both such penal servitude or imprisonment and fine.

3.—(1) If any person—

False statements, &c. with reference to marriage.

(*a*) for the purpose of procuring a marriage, or a certificate or licence for marriage, knowingly and wilfully makes a false oath, or makes or signs a false declaration, notice or certificate required under any Act of Parliament for the time being in force relating to marriage; or

(*b*) knowingly and wilfully makes, or knowingly and wilfully causes to be made, for the purpose of being inserted in any register of marriage, a false statement as to any particular required by law to be known and registered relating to any marriage; or

(*c*) forbids the issue of any certificate or licence for marriage by falsely representing himself to be a person whose consent to the marriage is required by law knowing such representation to be false,

he shall be guilty of a misdemeanour, and, on conviction thereof on indictment, shall be liable to penal servitude for a term not exceeding seven years or to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine or to both such penal servitude or imprisonment and fine.

(2) No prosecution for knowingly and wilfully making a false declaration for the purpose of procuring any marriage out of the district in which the parties or one of them dwell shall take place after the expiration of eighteen months from the solemnization of the marriage to which the declaration refers.

4.—(1) If any person—

False statements, &c. as to births or deaths.

(*a*) wilfully makes any false answer to any question put to him by any registrar of births or deaths relating to the particulars required to be registered concerning any birth or death, or, wilfully gives to any such registrar any false information concerning any birth or death or the cause of any death; or

(*b*) wilfully makes any false certificate or declaration under or for the purposes of any Act relating to the registration of births or deaths, or, knowing any such certificate or declaration to be false, uses the same as true or gives or sends the same as true to any person; or

(*c*) wilfully makes, gives or uses any false statement or declaration as to a child born alive as having been still-born, or as to the body of a deceased person or a still-born child in any coffin, or falsely pretends that any child born alive was still-born; or (*d*) makes any false statement with intent to have the same inserted in any register of births or deaths:

he shall be guilty of a misdemeanour and shall be liable—

(i) on conviction thereof on indictment, to penal servitude for a term not exceeding seven years, or to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine instead of either of the said punishments; and

(ii) on summary conviction thereof, to a penalty not exceeding ten pounds.

(2) A prosecution on indictment for an offence against this section shall not be commenced more than three years after the commission of the offence.

False statutory declarations and other false statements without oath.

5. If any person knowingly and wilfully makes (otherwise than on oath) a statement false in a material particular, and the statement is made—

(*a*) in a statutory declaration; or

(*b*) in an abstract, account, balance sheet, book, certificate, declaration, entry, estimate, inventory, notice, report, return, or other document which he is authorised or required to make, attest, or verify, by any public general Act of Parliament for the time being in force; or

(*c*) in any oral declaration or oral answer which he is required to make by, under, or in pursuance of any public general Act of Parliament for the time being in force,

he shall be guilty of a misdemeanour and shall be liable on conviction thereof on indictment to imprisonment, with or without hard labour, for any term not exceeding two years, or to a fine or to both such imprisonment and fine.

False declarations, &c. to obtain registration, &c. for carrying on a vocation.

6. If any person—

(*a*) procures or attempts to procure himself to be registered on any register or roll kept under or in pursuance of any public general Act of Parliament for the time being in force of persons qualified by law to practise any vocation or calling; or

(*b*) procures or attempts to procure a certificate of the registration of any person on any such register or roll as aforesaid,

by wilfully making or producing or causing to be made or produced either verbally or in writing, any declaration, certificate, or representation which he knows to be false or fraudulent, he shall be guilty of a misdemeanour and shall be liable on conviction thereof on indictment to imprisonment for any term not exceeding twelve months, or to a fine, or to both such imprisonment and fine.

7.—(1) Every person who aids, abets, counsels, procures, or suborns another person to commit an offence against this Act shall be liable to be proceeded against, indicted, tried and punished as if he were a principal offender.

Aiders, abettors, suborners, &c.

(2) Every person who incites or attempts to procure or suborn another person to commit an offence against this Act shall be guilty of a misdemeanour, and, on conviction thereof on indictment, shall be liable to imprisonment, or to a fine, or to both such imprisonment and fine.

8. Where an offence against this Act or any offence punishable as perjury or as subornation of perjury under any other Act of Parliament is committed in any place either on sea or land outside the United Kingdom, the offender may be proceeded against, indicted, tried, and punished in any county or place in England where he was apprehended or is in custody as if the offence had been committed in that county or place; and, for all purposes incidental to or consequential on the trial or punishment of the offence, it shall be deemed to have been committed in that county or place.

Venue.

9.—(1) Where any of the following authorities, namely, a judge of, or person presiding in, a court of record, or a petty sessional court, or any justice of the peace sitting in special sessions, or any sheriff or his lawful deputy before whom a writ of inquiry or a writ of trial is executed, is of opinion that any person has, in the course of a proceeding before that authority, been guilty of perjury, the authority may order the prosecution of that person for such perjury, in case there shall appear to be reasonable cause for such prosecution, and may commit him, or admit him to bail, to take his trial at the proper court, and may require any person to enter into a recognizance to prosecute or give evidence against the person whose prosecution is so ordered, and may give the person so bound to prosecute a certificate of the making of the order for the prosecution, for which certificate no charge shall be made.

Power to direct a prosecution for perjury.

(2) An order made or a certificate given under this section shall not be given in evidence for the purpose or in the course of any trial of a prosecution resulting therefrom.

10. A court of quarter sessions shall not have jurisdiction to try an indictment for any offence against this Act, or for an offence which under any enactment for the time being in force is declared to be perjury or to be punishable as perjury, or as subornation of perjury.

Jurisdiction of quarter sessions.

11. The provisions of the Vexatious Indictments Act, 1859, and the Acts amending the same, shall apply in the case of any offence punishable under this Act, and in the case of any offence which under any other enactment for the time being in force, is declared to be perjury or subornation of perjury or is made punishable as perjury or as subornation of perjury, in like manner as if all the said offences were enumerated in section one

Application of Vexatious Indictments Act, 1859. 22 & 23 Vict. c. 17.

of the said Vexatious Indictments Act, 1859: Provided that in that section a reference to this Act shall be substituted for the reference therein to the Criminal Procedure Act, 1851.

14 & 15 Vict. c. 100.

Form of indictment.

12.—(1) In an indictment—

(*a*) for making any false statement or false representation punishable under this Act; or

(*b*) for unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously, or corruptly taking, making, signing, or subscribing any oath, affirmation, solemn declaration, statutory declaration, affidavit, deposition, notice, certificate, or other writing,

it is sufficient to set forth the substance of the offence charged, and before which court or person (if any) the offence was committed without setting forth the proceedings or any part of the proceedings in the course of which the offence was committed, and without setting forth the authority of any court or person before whom the offence was committed.

(2) In an indictment for aiding, abetting, counselling, suborning, or procuring any other person to commit any offence herein-before in this section mentioned, or for conspiring with any other person, or with attempting to suborn or procure any other person, to commit any such offence, it is sufficient—

(*a*) where such offence has been committed, to allege that offence, and then to allege that the defendant procured the commission of that offence; and

(*b*) where such offence has not been committed, to set forth the substance of the offence charged against the defendant without setting forth any matter or thing which it is unnecessary to aver in the case of an indictment for a false statement or false representation punishable under this Act.

Corroboration.

13. A person shall not be liable to be convicted of any offence against this Act, or of any offence declared by any other Act to be perjury or subornation of perjury, or to be punishable as perjury or subornation of perjury solely upon the evidence of one witness as to the falsity of any statement alleged to be false.

Proof of certain proceedings on which perjury is assigned.

14. On a prosecution—

(*a*) for perjury alleged to have been committed on the trial of an indictment for felony or misdemeanour; or

(*b*) for procuring or suborning the commission of perjury on any such trial,

the fact of the former trial shall be sufficiently proved by the production of a certificate containing the substance and effect (omitting the formal parts) of the indictment and trial purporting to be signed by the clerk of the court, or other person having the custody of the records of the court where the indictment was tried, or by the deputy of that clerk or other person, without proof of the signature or official character of the clerk or person appearing to have signed the certificate.

Interpretation, &c.

15.—(1) For the purposes of this Act, the forms and ceremonies used in administering an oath are immaterial, if the court or person before whom the oath is taken has power to administer an oath for the purpose of verifying the statement in question, and if the oath has been administered in a form and with ceremonies which the person taking the oath has accepted without objection, or has declared to be binding on him.

(2) In this Act—

The expression "oath" in the case of persons for the time being allowed by law to affirm or declare instead of swearing, includes "affirmation" and "declaration," and the expression "swear" in the like case includes "affirm" and "declare"; and

The expression "statutory declaration" means a declaration made by virtue of the Statutory Declarations Act, 1835, or of any Act, Order in Council, rule or regulation applying or extending the provisions thereof; and

5 & 6 Will. 4 c. 62.

The expression "indictment" includes "criminal information."

Savings.

16.—(1) Where the making of a false statement is not only an offence under this Act, but also by virtue of some other Act is a corrupt practice or subjects the offender to any forfeiture or disqualification or to any penalty other than penal servitude, or imprisonment, or fine, the liability of the offender under this Act shall be in addition to and not in substitution for his liability under such other Act.

(2) Nothing in this Act shall apply to a statement made without oath by a child under the provisions of the Prevention of Cruelty to Children Act, 1904, and the Children Act, 1908.

4 Edw. 7. c. 15.
8 Edw. 7. c. 67.

(3) Where the making of a false statement is by any other Act, whether passed before or after the commencement of this Act, made punishable on summary conviction, proceedings may be taken either under such other Act or under this Act:

Provided that where such an offence is by any Act passed before the commencement of this Act, as originally enacted, made punishable only on summary conviction, it shall remain only so punishable.

Repeals.

17. The enactments specified in the schedule to this Act are hereby repealed, so far as they apply to England, to the extent specified in the third column of that schedule.

Extent.

18. This Act shall not extend to Scotland or Ireland.

Short title and commencement.

19. This Act may be cited as the Perjury Act, 1911, and shall come into operation on the first day of January nineteen hundred and twelve.

SCHEDULE.

Section 17.

Enactments Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
32 Hen. 8. c. 9.	Agenst maintenaunce and embracery byeng of titles, &c.	In section three, the words "or "suborne any witnes by ꝉres, "rewardis, promises, or by "any other sinistre labour or "meanes," and the words "or "to the procurement or occa-"sion of any manner of p̃jury "by false verdict or otherwise."
5 Eliz. c. 9. -	An Act for the Punyshement of suche persones as shall procure or comit any wyllful Perjurye.	The whole Act.
1 Ann. stat. 2. c. 9.	An Act for punishing of Accessories to feloneys and Receivers of stolen Goods, and to prevent the wilful burning and destroying of Ships.	Section three from "and if convicted" to the end of the section.
12 Geo. 1. c. 29.	The Frivolous Arrests Act, 1725.	In section four, the words "or of "wilful and corrupt perjury or "of subornation of perjury."
2 Geo. 2. c. 25.	The Perjury Act, 1728	The whole Act.
24 Geo. 3. sess. 2. c. 25.	The East India Company Act, 1781.	Section seventy-five from "and if any such witness" to the end of the section.
42 Geo. 3. c. 85.	The Criminal Jurisdiction Act, 1802.	Section five.
42 Geo. 3. c. 116.	The Land Tax Redemption Act, 1802.	Section one hundred and ninety-three.
48 Geo. 3. c. 149.	The Probate and Legacy Duties Act, 1808.	Section thirty-seven from "and if "any person or persons making "any such affidavit" to the end of the section.
54 Geo. 3. c. 159.	The Harbours Act, 1814.	Section twenty-five.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
56 Geo. 3. c. 46.	The Civil List Audit Act, 1816.	Section eleven.
1 & 2 Geo. 4. c. 121.	The Commissariat Accounts Act, 1821.	Section twenty-eight.
3 Geo. 4. c. 114.	The Hard Labour Act, 1822.	In section one, the words "wilful "and corrupt perjury or of "subornation of perjury."
7 Geo. 4. c. 16.	The Chelsea and Kilmainham Hospitals Act, 1826.	Section twenty-eight.
7 Geo. 4. c. 46.	The Country Bankers Act, 1826.	Section eighteen from "and if any such secretary" to the end of the section.
7 & 8 Geo. 4. c. 53.	The Excise Management Act, 1827.	Section thirty-one.
10 Geo. 4. c. 24.	The Government Annuities Act, 1829.	Section forty-four.
10 Geo. 4. c. 50.	The Crown Lands Act, 1829.	Section eighty-three.
1 Will. 4. c. 22.	The Evidence on Commission Act, 1831.	Section seven from "and if upon such oath or affirmation" to the end of the section.
2 & 3 Will. 4. c. 53.	The Army Prize Money Act, 1832.	Section forty-five. In section forty-six, the words "the "offence of taking a false oath "or suborning any person so to "do or." Section forty-nine from "or shall knowingly take a false oath . . ." to "other military service."
3 & 4 Will. 4. c. 41.	The Judicial Committee Act, 1833.	Section nine from "and every such witness" to the end of the section.
3 & 4 Will. 4. c. 49.	The Quakers and Moravians Act, 1833.	Section one from "and if any such person" to "notwithstanding."
5 & 6 Will. 4. c. 62.	The Statutory Declarations Act, 1835.	Section five. Section twelve from "and all and every" to the end of the section. Section eighteen from "and if any declaration" to the end of the section. Section twenty-one.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
6 & 7 Will. 4. c. 71.	The Tithe Act, 1836 -	Section ninety-three from the beginning of the section to "penalties of perjury, and".
6 & 7 Will. 4. c. 86.	The Births and Deaths Registration Act, 1836.	Section forty-one.
1 & 2 Vict. c. 77.	The Quakers and Moravians Act, 1838.	Section one from "and if any such person" to "are or shall be subject."
1 & 2 Vict. c. 105.	The Oaths Act, 1838 -	In section one, the word "either" and the words "or a witness or a deponent" and from "and every such person" to the end of the section.
2 & 3 Vict. c. 71.	The Metropolitan Police Courts Act, 1839.	Section twenty-three.
3 & 4 Vict. c. 18.	The Tobacco Act, 1840	Section ten from "and if such declaration" to the end of the section.
3 & 4 Vict. c. 72.	The Marriage Act, 1840	Section four.
3 & 4 Vict. c. 86.	The Church Discipline Act, 1840.	Section eighteen from "and every such witness" to the end of the section.
3 & 4 Vict. c. 97.	The Railway Regulation Act, 1840.	Section four.
5 & 6 Vict. c. 29.	The Pentonville Prison Act, 1842.	Section twenty-seven.
5 & 6 Vict. c. 35.	The Income Tax Act, 1842.	Section one hundred and eighty.
5 & 6 Vict. c. 38.	The Quarter Sessions Act, 1842.	In section one, the following words:— "6. Perjury and subornation of "perjury: "7. Making or suborning any "other person to make a false "oath, affirmation, or declaration, "punishable as perjury or as a "misdemeanour:"
6 & 7 Vict. c. 18.	The Parliamentary Voters Registration Act, 1843.	In section forty-one, the words "and every person taking any "oath or affirmation under this "Act who shall wilfully swear or "affirm falsely shall be guilty of "perjury."

Session and Chapter.	Title or Short Title.	Extent of Repeal.
6 & 7 Vict. c. 18—*cont.*	The Parliamentary Voters Registration Act, 1843.	In section eighty-one, the words "and if any person shall wilfully "make a false answer to either of "the questions aforesaid he shall "be deemed guilty of a misdemeanor, and shall and may be "indicted and punished accordingly."
8 & 9 Vict. c. 18.	The Lands Clauses Consolidation Act, 1845.	Section one hundred and forty-nine.
8 & 9 Vict. c. 20.	The Railways Clauses Consolidation Act, 1845.	Section one hundred and sixty.
8 & 9 Vict. c. 118.	The Inclosure Act, 1845.	In section one hundred and sixty-four, the words "shall wilfully "give false evidence, or shall "make or subscribe a false de- "claration for the purposes of "this Act, or".
10 & 11 Vict. c. 14.	The Markets and Fairs Clauses Act, 1847.	Section fifty-seven.
10 & 11 Vict. c. 15.	The Gas Works Clauses Act, 1847.	Section forty-four.
10 & 11 Vict. c. 16.	The Commissioners Clauses Act, 1847.	Sections thirteen and one hundred and eight.
10 & 11 Vict. c. 17.	The Waterworks Clauses Act, 1847.	Section eighty-nine.
10 & 11 Vict. c. 27.	The Harbours, Docks, and Piers Clauses Act, 1847.	Section ninety-six.
10 & 11 Vict. c. 34.	The Towns Improvement Clauses Act, 1847.	Section two hundred and thirteen.
10 & 11 Vict. c. 65.	The Cemeteries Clauses Act, 1847.	Section sixty-five.
10 & 11 Vict. c. 69.	The House of Commons Costs Taxation Act, 1847.	Section five from "and any person" to the end of the section.
10 & 11 Vict. c. 89.	The Town Police Clauses Act, 1847.	Section seventy-six.
10 & 11 Vict. c. 109.	The Poor Law Board Act, 1847.	Section twenty-six from the beginning of the section to "penalties of perjury; and".

Session and Chapter.	Title or Short Title.	Extent of Repeal.
11 & 12 Vict. c. 46.	The Criminal Procedure Act, 1848.	Section four from "both with regard" to "and otherwise."
12 & 13 Vict. c. 45.	The Quarter Sessions Act, 1849.	Section ten from "both with regard" to "and otherwise."
12 & 13 Vict. c. 78.	The House of Lords Costs Taxation Act, 1849.	Section five from "and any person" to the end of the section.
14 & 15 Vict. c. 100.	The Criminal Procedure Act, 1851.	In section one, the words "both with "respect to the liability of witnesses to be prosecuted for "perjury and otherwise." Sections nineteen, twenty, twenty-one, and twenty-two.
15 & 16 Vict. c. 56.	The Pharmacy Act, 1852.	Section sixteen from "shall wilfully" to "under this Act or".
15 & 16 Vict. c. 57.	The Election Commissioners Act, 1852.	Section thirteen.
16 & 17 Vict. c. 45.	The Government Annuities Act, 1853.	Section thirty-two.
16 & 17 Vict. c. 137.	The Charitable Trusts Act, 1853.	Section thirteen.
19 & 20 Vict. c. 54.	The Grand Juries Act, 1856.	In section one, the words "and "every person taking any oath "or affirmation in support of "any bill of indictment who "shall wilfully swear or affirm "falsely shall be deemed guilty "of perjury."
19 & 20 Vict. c. 113.	The Foreign Tribunals Evidence Act, 1856.	Section three from "and if upon such oath . . . " to the end of the section.
19 & 20 Vict. c. 119.	The Marriage and Registration Act, 1856.	Section two from "and every person who shall knowingly" to the end of the section: and section eighteen.
20 & 21 Vict. c. 85.	The Matrimonial Causes Act, 1857.	Section fifty.
21 & 22 Vict. c. 78.	The Parliamentary Witnesses Act, 1858.	Section three.
21 & 22 Vict. c. 90.	The Medical Act, 1858	Section thirty-nine.
22 Vict. c. 20.	The Evidence by Commission Act, 1859.	Section two.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
22 & 23 Vict. c. 17.	The Vexatious Indictments Act, 1859.	In section one, the words "perjury, subornation of perjury."
24 & 25 Vict. c. 10.	The Admiralty Court Act, 1861.	Section twenty-six from "and any person" to the end of the section.
24 & 25 Vict. c. 53.	The University Elections Act, 1861.	In section five, the words "falsely "making any such declaration as "aforesaid, or such declaration "as is contained in the Schedule, "or," and the words "and any "person wilfully making a false "answer to any question put to "him by the returning or other "officer as herein-before provided".
25 & 26 Vict. c. 53.	The Land Registry Act, 1862.	In section one hundred and five, the words "make or assist or join "in or be privy to the making of "any material false statement or "representation, or".
25 & 26 Vict. c. 67.	The Declaration of Title Act, 1862.	In section forty-four, the words "make or assist or join in or be "privy to the making of any "material false statement or "representation or".
25 & 26 Vict. c. 103.	The Union Assessment Committee Act, 1862.	In section forty, the words "or who "upon any examination before "any such committee wilfully "gives false evidence."
26 & 27 Vict. c. 87.	The Trustee Savings Banks Act, 1863.	Section forty-nine from "and if upon such oath" to the end of the section.
27 & 28 Vict. c. 25.	The Naval Prize Act, 1864.	Section fifty.
27 & 28 Vict. c. 114.	The Improvement of Land Act, 1864.	Section five.
28 & 29 Vict. c. 36.	The County Voters Registration Act, 1865.	In section eleven, the words "and "any person knowingly and wilfully making any false statement of fact in such declaration."
29 & 30 Vict. c. 62.	The Crown Lands Act, 1866.	Section twenty-nine.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
29 & 30 Vict. c. 108.	The Railway Companies Securities Act, 1866.	In section seventeen, the words "on "conviction thereof on indict-"ment to fine or imprisonment, "or," so far as relates to indictable offences under section sixteen of the same Act.
29 & 30 Vict. c. 109.	The Naval Discipline Act, 1866.	Section sixty-seven from "and where any such offence" to the end of the section.
30 & 31 Vict. c. 84.	The Vaccination Act, 1867.	Section thirty from "and every person" to the end of the section.
30 & 31 Vict. c. 136.	The Parliamentary Costs Act, 1867.	Section two.
31 & 32 Vict. c. 24.	The Capital Punishment Amendment Act, 1868.	Section nine.
31 & 32 Vict. c. 45.	The Sea Fisheries Act, 1868.	Section thirty-two from "and any person who wilfully" to "guilty of perjury."
31 & 32 Vict. c. 71.	The County Courts Admiralty Jurisdiction Act, 1868.	Section nineteen from "and any person" to the end of the section.
31 & 32 Vict. c. 119.	The Regulation of Railways Act, 1868.	In section five, the words "on con-"viction thereof on indictment to "fine and imprisonment, or". In section eight, the words "Any "person who, when so examined "on oath, makes any false state-"ment, knowing the same to be "false, shall be guilty of per-"jury."
31 & 32 Vict. c. 121.	The Pharmacy Act, 1868.	Section fourteen from "and any person who shall" to "assisting him therein."
31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	In section thirty-one, the words "and shall be subject to the "same penalties for perjury."
32 & 33 Vict. c. 111.	The Bishops Resignation Act, 1869.	In section six, the words "and any "person, when examined by "such persons, who wilfully "makes a false statement, "whether on oath or not, shall "be guilty of a misdemeanor."
33 & 34 Vict. c. 102.	The Naturalization Oath Act, 1870.	Section two.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
34 & 35 Vict. c. 36.	The Pensions Commutation Act, 1871.	In section nine, the words "shall "be deemed to be guilty of a "misdemeanour and" and the words "and to be imprisoned "for any term not exceeding "two years with or without "hard labour."
34 & 35 Vict. c. 78.	The Regulation of Railways Act, 1871.	In section ten, the words "on con-"viction thereof on indictment "to fine and imprisonment, or".
34 & 35 Vict. c. 83.	The Parliamentary Witnesses Oaths Act, 1871.	In section one, the words "Any "person examined as aforesaid "who wilfully gives false evi-"dence shall be liable to the "penalties of perjury."
35 & 36 Vict. c. 8.	The Deans and Canons Resignation Act, 1872.	Section four from "and any "person" to "guilty of a mis-"demeanour."
35 & 36 Vict. c. 93.	The Pawnbrokers Act, 1872.	Section twenty-nine from "If any "person makes a declaration" . . . . to the end of the section.
36 & 37 Vict. c. 60.	The Extradition Act, 1873.	Section five from "Every person who" to "perjury."
37 & 38 Vict. c. 88.	The Births and Deaths Registration Act, 1874.	In section forty, subsection one: and, in subsection two, the words "wilfully makes any false cer-"tificate or declaration under "or for the purposes of this "Act or": and subsections three and four.
38 & 39 Vict. c. 55.	The Public Health Act, 1875.	Section two hundred and sixty-three.
38 & 39 Vict. c. 87.	The Land Transfer Act, 1875.	Section one hundred and one.
38 & 39 Vict. c. 89.	The Public Works Loans Act, 1875.	Section forty-four from "when examined" to "false evidence or".
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	Section thirty-six from "and any witness" to "penalties thereof."
41 & 42 Vict. c. 26.	The Parliamentary and Municipal Registration Act, 1878.	In section twenty-five, the words "or knowingly and wilfully "makes any false statement of "fact in any declaration of the "nature aforesaid."

Session and Chapter.	Title or Short Title.	Extent of Repeal.
41 & 42 Vict. c. 31.	The Bills of Sale Act, 1878.	Section seventeen from "Whoever" to the end of the section.
41 & 42 Vict. c. 33.	The Dentists Act, 1878	Section thirty-five.
43 & 44 Vict. c. 13.	The Births and Deaths Registration (Ireland) Act, 1880.	In section thirty, subsection one: and, in subsection two, the words "wilfully makes any false certificate or declaration under "or for the purposes of this "Act, or": and subsections three and four.
43 & 44 Vict. c. 19.	The Taxes Management Act, 1880.	In section sixty-three, the words "If any person wilfully and "corruptly makes a false statement in any such oath of "service he shall be guilty of "misdemeanor, and shall be "liable to imprisonment for six "months with or without a fine "not exceeding fifty pounds" (being subsection four of the said section).
43 & 44 Vict. c. 41.	The Burials Act, 1880	In section ten, the words "any "person who shall wilfully make "any false statement in such "certificate and".
44 & 45 Vict. c. 62.	The Veterinary Surgeons Act, 1881.	Section eleven.
45 & 46 Vict. c. 37.	The Corn Returns Act, 1882.	In section twelve, the words "false or".
45 & 46 Vict. c. 50.	The Municipal Corporations Act, 1882.	In section fifty-nine, the words "If "any person wilfully makes a "false answer thereto he shall "be guilty of a misdemeanor" (being subsection three of the said section). In section ninety-four, the words "and shall be liable to the same "penalties for perjury."
45 & 46 Vict. c. 51.	The Government Annuities Act, 1882.	Section eleven from "If a person" . . . to "twelve months" (being subsection three of the said section).
46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	In section thirty-three, subsection seven, the words "and on conviction thereof on indictment "shall be liable to the punishment for wilful and corrupt "perjury."

Session and Chapter.	Title or Short Title.	Extent of Repeal.
47 & 48 Vict. c. 54.	The Yorkshire Registries Act, 1884.	Section forty-seven.
47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	In section twenty-one, subsection five, the words "and on conviction thereof on indictment shall be liable to the punishment for wilful and corrupt perjury."
48 & 49 Vict. c. 54.	The Pluralities Act Amendment Act, 1885.	Section seven from "and every witness" to the end of the section.
50 & 51 Vict. c. 28.	The Merchandise Marks Act, 1887.	In section eight, subsection (3) the words "on conviction on indictment to the penalties of perjury and".
50 & 51 Vict. c. 47.	The Trustee Savings Banks Act, 1887.	In section two, the words "If any person on examination on oath or affirmation under this section wilfully gives false evidence, he shall be liable to the penalties for perjury" (being subsection five of the said section).
51 & 52 Vict. c. 46.	The Oaths Act, 1888 -	Section one from "and if any person" to the end of the section.
52 & 53 Vict. c. 10.	The Commissioners of Oaths Act, 1889.	Section seven.
52 & 53 Vict. c. 49.	The Arbitration Act, 1889.	Section twenty-two.
54 & 55 Vict. c. 70.	The Markets and Fairs (Weighing of Cattle) Act, 1891.	In section three, the words "false or".
55 & 56 Vict. c. 23.	The Foreign Marriage Act, 1892.	Section fifteen.
57 & 58 Vict. c. 46.	The Copyhold Act, 1894.	In section fifty-four, the words "If any person wilfully gives false evidence in any proceeding under this Act he shall be guilty of perjury" (being subsection five of the said section).
59 & 60 Vict. c. 25.	The Friendly Societies Act, 1896.	In section eighty-seven, the words "false or".
61 & 62 Vict. c. 48.	The Benefices Act, 1898.	Section four from "For the declaration" . . . to "perjury" (being subsection four of the said section).

Session and Chapter.	Title or Short Title.	Extent of Repeal.
62 & 63 Vict. c. 23.	The Anchors and Chain Cables Act, 1899.	In section thirteen, the words "or "(iii) make any false statement "in a certificate of proof."
2 Edw. 7. c. 8.	The Cremation Act, 1902.	In section eight, subsection two, the words "declaration or".
2 Edw. 7. c. 17.	The Midwives Act, 1902.	Section eleven.
6 Edw. 7. c. 40.	The Marriage with Foreigners Act, 1906.	Section one from "If a person knowingly . . . ." to "country or place" (being subsection two of the said section).
7 Edw. 7. c. 24.	The Limited Partnerships Act, 1907.	Section twelve.
8 Edw. 7. c. 28.	The Agricultural Holdings Act, 1908.	Section thirteen from "Any person who" to "punished accordingly" (being subsection five of the said section).
8 Edw. 7. c. 53.	The Law of Distress Amendment Act, 1908.	Section one from "and if any under tenant" to the end of the section.
8 Edw. 7. c. 69.	The Companies (Consolidation) Act, 1908.	Section two hundred and eighteen: and, in section two hundred and eighty-one, the words "on convic-"tion on indictment to imprison-"ment for a term not exceeding "two years, with or without hard "labour, and", and the words "in either case."
9 Edw. 7. c. 49.	The Assurance Companies Act, 1909.	In section twenty-four, the words "on conviction on indictment to "fine and imprisonment, or".

CHAPTER 7.

An Act to amend the Municipal Elections (Corrupt and Illegal Practices) Act, 1884. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Certain false statements concerning a candidate to

1.—(1) Any person who, or the directors of any body or association corporate which, before or during any municipal election, shall, for the purpose of affecting the return of any candidate at such election, make or publish any false statement of fact in relation to the personal character or conduct of such candidate shall be guilty of an illegal practice within the meaning of the provisions of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, and shall be subject to all the penalties for and consequences of committing an illegal practice in the said Act mentioned, and the said Act shall be taken to be amended as if the illegal practice defined by this Act had been contained therein.

be an illegal practice. Injunction against person making false statement. 47 & 48 Vict. c. 70.

(2) No person shall be deemed to be guilty of such illegal practice if he can show that he had reasonable grounds for believing, and did believe, the statement made by him to be true.

(3) Any person who shall make or publish any false statement of fact as aforesaid may be restrained by interim or perpetual injunction by the High Court of Justice from any repetition of such false statement or any false statement of a similar character in relation to such candidate, and, for the purpose of granting an interim injunction, primâ facie proof of the falsity of the statement shall be sufficient.

(4) A candidate shall not be liable nor shall be subject to any incapacity, nor shall his election be avoided, for any illegal practice under this Act committed by his agent, unless it can be shown that the candidate has authorised or consented to the committing of such illegal practice, or has paid for the circulation of the false statement constituting the illegal practice, or unless upon the hearing of an election petition the election court shall find and report that the election of such candidate was procured or materially assisted in consequence of the making or publishing of such false statements.

Short title and construction.

2. This Act may be cited as the Municipal Elections (Corrupt and Illegal Practices) Act, 1911, and shall be construed as one with the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, and that Act and this Act may be cited together as the Municipal Elections (Corrupt and Illegal Practices) Acts, 1884 and 1911.

CHAPTER 8.

An Act to remove certain doubts as to the true interpretation of the Merchant Shipping Acts, 1894 to 1906, in respect of the Payment of Seamen's Allotment Notes.

[18th August 1911.]

WHEREAS doubts have arisen as to the true interpretation of section one hundred and forty-one of the Merchant Shipping Act, 1894, and section sixty-two of the Merchant Shipping Act, 1906;

57 & 58 Vict. c. 60. 6 Edw. 7. c. 48.

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Regulations as to allotment note.

1. By agreement with the master an allotment note may be granted to a seaman providing for—

(*a*) payment of a greater sum than one half of the wages;

(*b*) payment at a period earlier than one month from the date of the agreement with the crew and at intervals more frequent than one month.

Short title.

2. This Act may be cited as the Merchant Shipping (Seamen's Allotment) Act, 1911.

CHAPTER 9.

An Act to amend the Public Libraries (Ireland) Acts, 1855 to 1902, as respects the provision of Art Galleries in County Boroughs and for other purposes incidental thereto. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 18 & 19 Vict. c. 40. s. 8.

1.—(1) Where an art gallery is established in any county borough under the Public Libraries (Ireland) Acts, 1855 to 1902, whether before or after the passing of this Act, the rate which may be levied in that borough for the purposes of those Acts may exceed the limit of one penny in the pound imposed by section eight of the Public Libraries Act (Ireland), 1855, to the extent of not more than one halfpenny in the pound.

(2) Nothing in this section affects the provisions of any local Act extending the limit imposed by the said section eight.

Payment of expenses in connexion with the maintenance of the municipal gallery of modern art in the county borough of Dublin.

2.—(1) If the works of art contained in the institution known as "The Municipal Gallery of Modern Art" in the county borough of Dublin are at any time after the passing of this Act vested in or lent to the council of that borough for the use of any art gallery established by that council under the Public Libraries (Ireland) Acts, 1855 to 1902, the council may, if they think fit, with the sanction of the Local Government Board, pay and discharge any expenses or liabilities of any kind incurred by any person, whether before or after the passing of this Act, for or in connexion with the maintenance of that institution or the preservation of the works of art therein up to the time when those works are so vested in or lent to the council.

(2) Any expenses incurred by the council in the execution of this section shall be deemed to be expenses incurred for the purposes of the Public Libraries (Ireland) Acts, 1855 to 1902, as amended by this Act, and shall be defrayed in like manner as those expenses accordingly.

Short title, construction, and citation.

3.—(1) This Act may be cited as the Public Libraries (Art Galleries in County Boroughs) (Ireland) Act, 1911, and shall be construed as one with the Public Libraries (Ireland) Acts, 1855 to 1902; and those Acts and this Act may be cited collectively as the Public Libraries (Ireland) Acts, 1855 to 1911.

(2) In this Act the expression "Public Libraries (Ireland) Acts, 1855 to 1902," means the Public Libraries (Ireland) Acts, 1855 to 1894, and the Public Libraries (Ireland) Act, 1902.

CHAPTER 10.

An Act to amend the Law relating to the share of Intestate Husband's Estate falling to the Widow in Scotland.

[18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Intestates' estate not exceeding five hundred pounds to belong to widow where no issue.

1. The heritable and moveable estate of every man who shall die intestate, domiciled in Scotland, after the passing of this Act, leaving a widow but no lawful issue, shall, in all cases where the net value of such heritable and moveable estate, taken together, shall not exceed five hundred pounds, belong to his widow absolutely and exclusively.

Widow to be a creditor for five hundred pounds if estate exceeds this amount.

2. Where the net value of the heritable and moveable estate in the preceding section mentioned shall exceed the sum of five hundred pounds, the widow of such intestate shall be entitled to five hundred pounds part thereof absolutely and exclusively, and shall be a creditor upon the whole of such heritable and moveable estate for such five hundred pounds with interest thereon from the date of the death of the intestate at four per cent. per annum until payment.

How charge to be borne between heritable and moveable estate.

3. As between the heir-at-law and the representatives of the moveable estate of such intestate, such charge shall be borne and paid in proportion to the net values of the heritable and moveable estate respectively.

Provisions to be in addition to share of residue.

4. The provision for the widow intended to be made by this Act shall be in addition and without prejudice to her rights of terce and jus relictæ in the heritable and moveable estate of such intestate remaining after payment of the sum of five hundred pounds, in the same way as if the residue, after payment of the said five hundred pounds, had been the whole of such intestate's estate, heritable and moveable, and this Act had not passed.

How heritable estate to be valued.

5. The net value of such heritable estate as aforesaid shall, for the purposes of this Act, be estimated in the case of a fee simple upon the basis of twenty years' purchase of the annual value by the year at the date of the death of the intestate as determined by law for the purposes of property tax, less the gross amount of any debt or other principal sum heritably secured thereon, and less the value of any annuity or other periodical payment chargeable thereon, to be valued according to the tables and rules in the schedule annexed to the Succession Duty Act, 1853, and in the case of an estate for a life or lives according to the said tables and rules.

16 & 17 Vict. c. 51.

How moveable estate to be valued.

6. The net value of the moveable estate as aforesaid shall be ascertained by deducting from the gross value thereof all debts, funeral and testamentary expenses of the intestate, and all other lawful liabilities and charges to which the said moveable estate shall be subject.

Extent of Act.

7. This Act shall apply to Scotland only.

Short title.

8. This Act may be cited as the Intestate Husband's Estate (Scotland) Act, 1911.

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CHAPTER 11.

An Act to enable Orders to be made under the Diseases of Animals Acts for protecting Live Poultry from unnecessary suffering, and for other purposes connected therewith. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to make orders for protecting poultry from unnecessary suffering, &c. 57 & 58 Vict. c. 57.

1.—(1) The Diseases of Animals Act, 1894, as amended by any subsequent enactment, shall have effect as if, among the purposes for which Orders may be made under section twenty-two of that Act, there were included the following purposes:—

(*a*) for protecting live poultry from unnecessary suffering while being conveyed by land or water and in connexion with their exposure for sale and their disposal after sale:

(*b*) for requiring the cleansing or disinfection of receptacles or vehicles used for the conveyance of live poultry, and, for the purposes of an Order made under this Act, the Diseases of Animals Act, 1894, shall be construed as if the expression "animals" included live poultry.

(2) An inspector, for the purpose of enforcing an Order under this Act, may examine any live poultry under any circumstances to which the Order relates and any receptacle or vehicle used for their conveyance; and may enter any vessel or premises in which he has reasonable grounds for supposing that there are live poultry in course of conveyance or packed for conveyance.

(3) The expression "poultry" includes domestic fowls, turkeys, geese, ducks, guinea-fowls, and pigeons.

2. This Act may be cited as the Poultry Act, 1911; and the Diseases of Animals Acts, 1894 to 1909, and this Act may be cited together as the Diseases of Animals Acts, 1894 to 1911.

Short title.

CHAPTER 12.

An Act to further amend the Public Health Acts relating to Ireland. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Any urban district council in Ireland may, in addition to any existing powers, make byelaws providing for the inspection of all meat intended to be sold within the urban district for human consumption, and prohibiting the sale of meat within the urban district for human consumption except after inspection in accordance with the byelaws.

Power to urban councils to make byelaws as to sale of meat in urban districts.

(2) The provisions of sections two hundred and nineteen to two hundred and twenty-three of the Public Health (Ireland) Act, 1878, relative to byelaws shall apply to every byelaw made under this Act as they apply to byelaws made under that Act.

41 & 42 Vict. c. 52.

2. This Act shall be read and construed with the Public Health (Ireland) Acts, 1878 to 1907, and may be cited as the Public Health (Ireland) Act, 1911.

Short title and construction.

CHAPTER 13.

An Act to make provision with respect to the powers of the House of Lords in relation to those of the House of Commons, and to limit the duration of Parliament.
[18th August 1911.]

WHEREAS it is expedient that provision should be made for regulating the relations between the two Houses of Parliament:

And whereas it is intended to substitute for the House of Lords as it at present exists a Second Chamber constituted on a popular instead of hereditary basis, but such substitution cannot be immediately brought into operation:

And whereas provision will require hereafter to be made by Parliament in a measure effecting such substitution for limiting and defining the powers of the new Second Chamber, but it is expedient to make such provision as in this Act appears for restricting the existing powers of the House of Lords:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of House of Lords as to Money Bills.

1.—(1) If a Money Bill, having been passed by the House of Commons, and sent up to the House of Lords at least one month before the end of the session, is not passed by the House of Lords without amendment within one month after it is so sent up to that House, the Bill shall, unless the House of Commons direct to the contrary, be presented to His Majesty and become an Act of Parliament on the Royal Assent being signified, notwithstanding that the House of Lords have not consented to the Bill.

(2) A Money Bill means a Public Bill which in the opinion of the Speaker of the House of Commons contains only provisions dealing with all or any of the following subjects, namely, the imposition, repeal, remission, alteration, or regulation of taxation; the imposition for the payment of debt or other financial purposes of charges on the Consolidated Fund, or on money provided by Parliament, or the variation or repeal of any such charges; supply; the appropriation, receipt, custody, issue or audit of accounts of public money; the raising or guarantee of any loan or the repayment thereof; or subordinate matters incidental to those subjects or any of them. In this subsection the expressions "taxation," "public money," and "loan" respectively do not include any taxation, money, or loan raised by local authorities or bodies for local purposes.

(3) There shall be endorsed on every Money Bill when it is sent up to the House of Lords and when it is presented to His Majesty for assent the certificate of the Speaker of the House of Commons signed by him that it is a Money Bill.

Before giving his certificate, the Speaker shall consult, if practicable, two members to be appointed from the Chairmen's Panel at the beginning of each Session by the Committee of Selection.

Restriction of the powers of the House of Lords as to Bills other than Money Bills.

2.—(1) If any Public Bill (other than a Money Bill or a Bill containing any provision to extend the maximum duration of Parliament beyond five years) is passed by the House of Commons in three successive sessions (whether of the same Parliament or not), and, having been sent up to the House of Lords at least one month before the end of the session, is rejected by the House of Lords in each of those sessions, that Bill shall, on its rejection for the third time by the House of Lords, unless the House of Commons direct to the contrary, be presented to His Majesty and become an Act of Parliament on the Royal Assent being signified thereto, notwithstanding that the House of Lords have not consented to the Bill: Provided that this provision shall not take effect unless two years have elapsed between the date of the second reading in the first of those sessions of the Bill in the House of Commons and the date on which it passes the House of Commons in the third of those sessions.

(2) When a Bill is presented to His Majesty for assent in pursuance of the provisions of this section, there shall be endorsed on the Bill the certificate of the Speaker of the House of Commons signed by him that the provisions of this section have been duly complied with.

(3) A Bill shall be deemed to be rejected by the House of Lords if it is not passed by the House of Lords either without amendment or with such amendments only as may be agreed to by both Houses.

(4) A Bill shall be deemed to be the same Bill as a former Bill sent up to the House of Lords in the preceding session if, when it is sent up to the House of Lords, it is identical with the former Bill or contains only such alterations as are certified by the Speaker of the House of Commons to be necessary owing to the time which has elapsed since the date of the former Bill, or to represent any amendments which have been made by the House of Lords in the former Bill in the preceding session, and any amendments which are certified by the Speaker to have been made by the House of Lords in the third session and agreed to by the House of Commons shall be inserted in the Bill as presented for Royal Assent in pursuance of this section:

Provided that the House of Commons may, if they think fit, on the passage of such a Bill through the House in the second or third session, suggest any further amendments without inserting the amendments in the Bill, and any such suggested amendments shall be considered by the House of Lords, and, if agreed to by that House, shall be treated as amendments made by the House of Lords and agreed to by the House of Commons; but the exercise of this power by the House of Commons shall not affect the operation of this section in the event of the Bill being rejected by the House of Lords.

Certificate of Speaker.

3. Any certificate of the Speaker of the House of Commons given under this Act shall be conclusive for all purposes, and shall not be questioned in any court of law.

Enacting words.

4.—(1) In every Bill presented to His Majesty under the preceding provisions of this Act, the words of enactment shall be as follows, that is to say:—

> "Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Commons in this present Parliament assembled, in accordance with the provisions of the Parliament Act, 1911, and by authority of the same, as follows."

(2) Any alteration of a Bill necessary to give effect to this section shall not be deemed to be an amendment of the Bill.

Provisional Order Bills excluded.

5. In this Act the expression "Public Bill" does not include any Bill for confirming a Provisional Order.

Saving for existing rights and privileges of the House of Commons.

6. Nothing in this Act shall diminish or qualify the existing rights and privileges of the House of Commons.

Duration of Parliament. 1 Geo. 1, stat. 2, c. 38.

7. Five years shall be substituted for seven years as the time fixed for the maximum duration of Parliament under the Septennial Act, 1715.

Short title.

8. This Act may be cited as the Parliament Act, 1911.

CHAPTER 14.

An Act to amend the Law with respect to Customs in the Isle of Man. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of additional duties on tea, tobacco, spirits, ale, and beer. 6 Edw. 7. c. 18. 63 & 64 Vict. c. 31.

1. The additional duty of Customs on tea removed or imported into the Isle of Man imposed by section one of the Isle of Man (Customs) Act, 1906, and the additional duties of Customs on tobacco and spirits removed or imported into the Isle of Man imposed by section one of the Isle of Man (Customs) Act, 1900, and the additional duty on ale and beer removed or imported into the Isle of Man imposed by the second paragraph of section two of that Act, shall continue to be charged, levied, and paid as from the first day of August nineteen hundred and eleven until the first day of August nineteen hundred and twelve.

Short title.

2. This Act may be cited as the Isle of Man (Customs) Act, 1911.

. . . .

CHAPTER 15.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March nineteen hundred and twelve, and to appropriate the Supplies granted in this Session of Parliament.

[18th August 1911.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants out of Consolidated Fund.

Issue of 91,444,008*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March nineteen hundred and twelve, the sum of ninety-one million four hundred and forty-four thousand and eight pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole ninety-one million four hundred and forty-four thousand and eight pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March nineteen hundred and twelve, and section six of the

40 & 41 Vict. c. 2.

Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of one hundred and forty-five million thirty-eight thousand eight hundred and forty-four pounds eleven shillings and eightpence, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A.), for the services and purposes expressed in Schedule (B.) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

54 & 55 Vict. c. 24.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B.) annexed hereto, the sums respectively set forth in the last column of the said schedule.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

4.—(1) So long as the aggregate expenditure on naval and military services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval and military services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Sanction for navy and army expenditure for 1909 1910 unprovided for.

9 Edw. 7. c. 5.
10 Edw. 7. & 1 Geo. 5. c. 14.

5. Whereas under the powers given for the purpose by the Appropriation Act, 1909, and the Appropriation Act, 1910, surpluses arising on certain votes for the naval and military services respectively have been temporarily applied as shown in the accounts set out in Schedule (C.) to this Act:

It is enacted that the application of those surpluses as shown in the said accounts is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by such warrant:

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title.

7. This Act may be cited for all purposes as the Appropriation Act, 1911.

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - -	145,038,844	11	8

SCHEDULE (B.)—Appropriation of Grants.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
1909-1910-1911.	£	s.	d.	£	s.	d.
Part 1. Civil Services Excess, 1909-1910 - -	188	11	8	—		
„ 2. Army (Supplementary), 1910-1911 - -	100	0	0	—		
„ 2. Army Ordnance Factories (Supplementary), 1910-1911 - - -	100	0	0	80,000	0	0
„ 3. Civil Services (Supplementary), 1910-1911 -	476,427	0	0	72,587	0	0
£	476,815	11	8	152,587	0	0
1911-1912.						
„ 4. Navy - - - -	44,392,500	0	0	1,812,299	0	0
„ 5. Army - - - -	27,690,000	0	0	3,396,499	0	0
„ 5. Army (Ordnance Factories) - - -	100	0	0	2,808,000	0	0
£	72,082,600	0	0	8,016,798	0	0
„ 6. Civil Services, Class I. -	3,466,696	0	0	141,953	0	0
„ 7. Ditto, Class II. -	4,141,096	0	0	773,726	0	0
„ 8. Ditto, Class III. -	4,531,859	0	0	848,545	0	0
„ 9. Ditto, Class IV. -	19,146,264	0	0	24,110	0	0
„ 10. Ditto, Class V. -	2,097,044	0	0	153,714	0	0
„ 11. Ditto, Class VI. -	13,244,616	0	0	—		
„ 12. Ditto, Class VII. -	684,009	0	0	6,900	0	0
TOTAL CIVIL SERVICES - £	47,311,584	0	0	1,948,948	0	0
„ 13. Revenue Departments, &c. £	25,167,845	0	0	682,851	0	0
GRAND TOTAL - - £	145,038,844	11	8	10,801,184	0	0

SCHEDULE (A.)

Sched. (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£	s.	d.
For the service of the years ended on the 31st day of March 1910 and 1911 :—			
Under Act 1 Geo. 5. c. 1.	476,815	11	8
For the service of the year ending on the 31st day of March 1912 :—			
Under Act 1 Geo. 5. c. 1	35,510,500	0	0
Under Act 1 & 2 Geo. 5. c. 5	17,607,521	0	0
Under this Act	91,444,008	0	0
TOTAL	145,038,844	11	8

SCHEDULE (B.)—PART 1.

Sched. (B.) Part 1. Civil Services Excess, 1909–1910.

CIVIL SERVICES EXCESS, 1909–1910.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£ s. d.	£ s. d.
Sum granted to make good an Excess on the Grant for the Supreme Court of Judicature and other Legal Departments, Ireland, for the year ended on the 31st day of March 1910	188 11 8	—

SCHEDULE (B.)—PART 2.

Sched. (B.) Part 2. Army (Supplementary), 1910–1911.

ARMY (SUPPLEMENTARY), 1910–1911.

Sum granted to meet additional Expenditure in respect of the following Army Services for the year ended on the 31st day of March 1911, viz. :—

	£	s.	d.
Vote 10. Works and Buildings :—			
E. Part I.—New Works, Additions, Alterations, and Special Repairs	9,800	0	0
J. Purchases of Land	94,000	0	0
	£103,800	0	0
Less Surpluses	103,700	0	0
	£ 100	0	0

ARMY (ORDNANCE FACTORIES) (SUPPLEMENTARY), 1910–1911.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£ s. d.	£ s. d.
Sum granted to meet additional Expenditure for Army Ordnance Factories for the year ended on the 31st day of March 1911	100 0 0	80,000 0 0

Sched. (B.)
Part 3.
Civil Services (Supplementary), 1910–1911.

SCHEDULE (B.)—Part 3.

Civil Services (Supplementary), 1910–1911.

Schedule of Supplementary Sums granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1911, viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.		
Class I.	£	£
For Expenditure in respect of Royal Palaces	1,300	—
Class II.		
For the Salaries and Expenses of the Board of Agriculture and Fisheries, and of Royal Botanic Gardens, Kew, including certain Grants in Aid	5	10.157
For the Salaries and Expenses of the Civil Service Commission	4,200	—
For the Salaries and Expenses of the Mint, including the expenses of Coinage, and the Expenses of the Preparation of Medals, Dies for Postage and other Stamps, and His Majesty's Seals	20	48.780
For Stationery, Printing, Paper, Binding, and Printed Books for the Public Service, and for the Salaries and Expenses of the Stationery Office	18,000	9,000
For the Salaries and Expenses of the Office of the Commissioners of His Majesty's Works and Public Buildings	2,900	—
For the Salaries and Expenses of the Department of Agriculture and other Industries and Technical Instruction for Ireland, and of the Services administered by that Department, including sundry Grants in Aid	10	4.600
For the Salaries and Expenses of the Public Record Office, Ireland, and of the Keeper of State Papers, Dublin	585	—
For the Salaries and Expenses of the General Valuation and Boundary Survey of Ireland, and for the Expenses of Valuation under the Finance (1909–10) Act, 1910	5,400	300
Class III.		
For the Salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, the Contribution towards the Expenses of the Metropolitan Police, the Pay and Expenses of Officers of Metropolitan Police employed on special duties, and the Salaries and Expenses of the Inspectors of Constabulary	15,000	—
For Criminal Prosecutions and other Law Charges in Ireland	2,100	—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
For such of the Salaries and Expenses of the Supreme Court of Judicature and of certain other Legal Departments in Ireland as are not charged on the Consolidated Fund - - - - -	500	* – 900
Class IV.		
For Grants towards Expenditure on Public Elementary Schools in England and Wales - -	100,000	—
For sundry Grants in Aid of Scientific Investigation, &c. - - - - - - - -	2,000	—
For Grants in Aid to Universities and Colleges, Great Britain - - - - -	4,000	—
Class V.		
For sundry Colonial Services, including certain Grants in Aid - - - - -	32,000	—
For making good the net loss on transactions connected with the raising of money for the various Treasury Chests Abroad in the year 1909–1910 -	26,128	—
Class VI.		
For the Payment of Old Age Pensions in the United Kingdom, and for certain administrative expenses in connection therewith - - - -	200,000	—
Class VII.		
For Expenditure in connection with International Exhibitions (including a Grant in Aid of the Expenses of the Royal Commission for the Brussels, Rome, and Turin Exhibitions) - -	62,269	650
Revenue Departments.		
For the Expenses of the Post Office, including Telegraphs and Telephones - - - -	10	—
Total - - - £	476,427	72,587

* Deficit.

Sched. (B.)
Part 4.
Navy.

SCHEDULE (B.)—Part 4.

NAVY.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the Navy Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For wages, &c. to 134,000 officers, seamen, and boys, coastguard, and royal marines	7,511,500	191,500
2.	For victualling and clothing for the navy, including the cost of victualling establishments at home and abroad	2,618,800	615,142
3.	For medical services, including the cost of medical establishments at home and abroad	270,900	18,887
4.	For martial law	3,900	100
5.	For educational services	150,500	64,863
6.	For scientific services	72,000	27,818
7.	For the royal naval reserve, the royal fleet reserve (including seamen pensioner reserve), and the royal naval volunteers, &c.	388,000	9,768
8.	Sect. 1. For the personnel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of dockyards and naval yards at home and abroad	3,541,500	22,000
,,	Sect. 2. For the matériel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of dockyards and naval yards at home and abroad	4,955,400	477,500
,,	Sect. 3. For contract work for shipbuilding, repairs, &c.	14,365,300	174,000
9.	For naval armaments	3,721,000	106,400
10.	For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith	3,065,300	30,000
11.	For various miscellaneous effective services	532,000	15,339
12.	For the Admiralty Office	406,400	8,850
13.	For half-pay, and retired pay to officers of the navy and marines	926,300	18,841
14.	For naval and marine pensions, gratuities, and compassionate allowances	1,468,200	30,921
15.	For civil superannuation, compensation allowances, and gratuities	395,500	370
	Total Navy Services £	44,392,500	1,812,299

SCHEDULE (B.)—Part 5.

Sched. (B.)
Part 5.
Army.

ARMY.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the Army Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the pay, &c. of His Majesty's Army (including Army Reserve to a number not exceeding 139,000) at home and abroad (exclusive of India)	8,648,000	1,340,000
2.	For the pay, &c. of the medical establishments and for medicines, &c.	437,000	2,400
3.	For the pay, bounty, &c. of the Special Reserve (to a number not exceeding 94,419, including 2,700 militia and 500 militia reserve) and of the Officers' Training Corps	742,000	4,400
4.	For grants, pay, allowances, training, and miscellaneous charges of the Territorial Force (not exceeding 325,429 men, including 10,000 Territorial Force Reserve), and Channel Islands and Colonial Militia, including the expense of permanent staff	2,766,000	1,650
5.	For establishments for military education	147,000	77,400
6.	For quartering, transport, and remounts	1,641,000	65,000
7.	For supplies and clothing	4,295,000	186,000
8.	For the Ordnance Department establishments and for general stores	581,000	212,000
9.	For armaments and engineer stores, including technical committees	1,472,000	365,000
10.	For works, buildings, and repairs, lands, and miscellaneous engineer services, including staff in connection therewith	2,591,000	110,000
11.	For miscellaneous effective services	73,000	1,300
12.	For the War Office	436,000	350
13.	For rewards; half-pay; retired pay; widows' pensions; and other non-effective charges for officers	1,808,000	511,839
14.	For Chelsea and Kilmainham hospitals; for out-pensions; for rewards for distinguished services; for widows' pensions; and for other non-effective charges for warrant officers, non-commissioned officers, and men, &c.	1,900,000	519,120
15.	For civil superannuation, compensation, additional and compassionate allowances, gratuities, and injury grants	153,000	40
	Total Army Services - £	27,690,000	3,396,499

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Sched. (B.)
Part 5.
Army.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
ARMY (ORDNANCE FACTORIES).	£	£
For the ordnance factories, the cost of productions of which will be charged to the army, navy, and Indian and Colonial Governments - -	100	2,808,000
TOTAL ARMY SERVICES (INCLUDING ORDNANCE FACTORIES) - - £	27,690,100	6,204,499

Sched. (B.)
Part 6.
Civil Services.
Class I.

SCHEDULE (B.)—PART 6.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

	Sums not exceeding	
No.	Supply Grants.	Appropriations in Aid.
	£	£
1. For expenditure in respect of royal palaces, including a grant in aid (including a supplementary sum of 3,900*l.*) - - -	75,700	1,094
2. For expenditure in respect of Osborne - -	12,200	2,400
3. For the royal parks and pleasure gardens - -	133,600	11,294
4. For expenditure in respect of the Houses of Parliament buildings - - -	54,170	385
5. For expenditure in respect of miscellaneous legal buildings, Great Britain - - -	74,400	560
6. For expenditure in respect of Art and Science buildings, Great Britain - - -	99,900	800
7. For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad (including a supplementary sum of 9,000*l.*) - -	97,600	1,107
8. For the Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad -	697,063	5,295
9. For Labour Exchange Buildings, Great Britain	140,000	200
10. For expenditure in respect of sundry public buildings in Great Britain not provided for on other votes (including a supplementary sum of 17,550*l.*) - - - -	698,050	33,395
11. For the survey of the United Kingdom, and for minor services connected therewith -	187,344	44,705
12. For maintaining certain harbours under the Board of Trade and for grants in aid of harbours - - - - -	102,389	2,600

SCHED. (B.)
PART 6.
Civil Services.
Class I.

No.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
13. For constructing a new harbour of refuge at Peterhead - - - - - -	32,000	—
14. For rates and contributions in lieu of rates, &c. in respect of Government property, and for rates on houses occupied by representatives of Foreign Powers, and for salaries and expenses of the Rating of Government property department, and for a contribution towards the expenses of the London Fire Brigade -	730,000	30,268
15. For the erection, repairs, and maintenance of public buildings in Ireland, for the maintenance of certain parks and public works, and for the maintenance of drainage works on the River Shannon - - - - -	273,370	7,850
16. For payments under the Tramways and Public Companies (Ireland) Act, 1883, &c., the Tramways (Ireland) Act, 1895, the Railways (Ireland) Act, 1896, and the Marine Works (Ireland) Act, 1902, and for other purposes connected with Irish Railways - -	57,910	—
17. For expenditure in respect of the Palace of Peace, at The Hague - - - -	1,000	—
TOTAL CIVIL SERVICES, CLASS I. - £	3,466,696	141,953

SCHEDULE (B.)—PART 7.

SCHED. (B.)
PART 7.
Civil Services.
Class II.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

No.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
1. For the salaries and expenses of the offices of the House of Lords - - - -	28,559	15,500
1A. For the salaries of members of the House of Commons not in receipt of salaries as Ministers, as officers of the House, or as officers of His Majesty's Household - - - -	252,000	—
2. For the salaries and expenses in the offices of the House of Commons - - -	49,000	16,500
3. For the salaries and other expenses of the department of His Majesty's Treasury and subordinate departments, including expenses in respect of advances under the Light Railways Act, 1896 - - - -	105,738	3,704

Sched. (B.)
Part 7.
Civil Services.
Class II.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
4.	For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices (including a supplementary sum of 12,200*l.*) -	246.717	11,650
5.	For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs - - - -	67,225	750
6.	For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies, including a grant in aid of certain expenses connected with Emigration	59,616	
7.	For the salaries and expenses of the department of His Majesty's most Honourable Privy Council - - - - -	10,533	1,800
8.	For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments - - -	520,716	28.747
9.	For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine (including Merchant Seamen's Fund Pensions) - - -	107,100	67.650
10.	For meeting the deficiency of income from fees, &c. for the requirements of the Board of Trade, under the Bankruptcy Acts, 1883 and 1890 - - - - - -	8	112.339
11.	For the salaries and expenses of the Board of Agriculture and Fisheries and of Royal Botanic Gardens, Kew, including certain grants in aid - - - -	194,914	79,550
12.	For the salaries and expenses of the Charity Commission for England and Wales - -	30,558	—
13.	For the Salaries and Expenses of the Department of the Government Chemist - -	19,088	—
14.	For the salaries and expenses of the Civil Service Commission - - - - -	45,516	—
15.	For the salaries and expenses of the department of the Comptroller and Auditor General -	64,560	3,124
16.	For the salaries and expenses of the Registry of Friendly Societies - - - -	9,910	—
17.	For the salaries and expenses of the Local Government Board - - - -	277,951	5.565
18.	For the salaries and expenses of the office of the Commissioners in Lunacy in England -	18,542	962
19.	For the salaries and expenses of the Mint, including the expenses of coinage, and for the expenses of the preparation of medals, dies for postage and other stamps, and His Majesty's seals - - -	85	207,200
20.	For the salaries and expenses of the National Debt Office - - - - - -	13,355	3,009
21.	For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments - - -	26,030	—
22.	For the salaries and expenses of the establishment under the Public Works Loan Commissioners - - - - - - -	36	11,500
23.	For the salaries and expenses of the department of the Registrar General of Births, &c. in England - - - - - -	182,023	10,000

SCHED. (B.)
PART 7.
Civil Services.
Class II.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
24.	For stationery, printing, paper, binding, and printed books for the public service, for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including reports of Parliamentary Debates -	793,650	137,000
25.	For the salaries and expenses in the office of His Majesty's Woods, Forests, and Land Revenues	22,908	—
26.	For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings - - - -	125,930	—
27.	For His Majesty's foreign and other secret services - - - - -	50,000	—
28.	For the salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate office, expenses under the Inebriates Acts, 1879 to 1900, and expenses under the Private Legislation Procedure (Scotland) Act, 1899, including a grant in aid of the Congested Districts (Scotland) Fund -	35,583	2,010
29.	For the salaries and expenses of the Fishery Board for Scotland, and for grants in aid of piers or quays - - - - - -	24,529	—
30.	For the salaries and expenses of the Board of Lunacy in Scotland - - - -	6,203	520
31.	For the salaries and expenses of the department of the Registrar General of Births, &c. in Scotland - - - - - -	37,871	1,300
32.	For the salaries and expenses of the Local Government Board for Scotland - -	19,741	—
33.	For the salaries and expenses of the household of the Lord Lieutenant of Ireland - -	4,682	—
34.	For the salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and of the Inspectors of Lunatic Asylums, and expenses under the Inebriates Acts - - -	28,622	302
35.	For the salaries and expenses of the department of agriculture and other industries, and technical instruction for Ireland, and of the services administered by that department, including sundry grants in aid - -	426,609	29,910
36.	For the salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland - - - -	2,020	34
37.	For the salaries and expenses of the Local Government Board in Ireland, including sundry grants in aid - - - - -	107,514	10,300
38.	For the salaries and expenses of the Public Record Office in Ireland and of the Keeper of State Papers in Dublin - - -	7,583	—
39.	For the salaries and expenses of the Office of Public Works in Ireland - - -	44,470	3,000
40.	For the salaries and expenses of the department of the Registrar General of Births, &c., and for the expenses of collecting emigration statistics in Ireland - - - -	29,020	800
41.	For the salaries and expenses of the general valuation and boundary survey of Ireland -	44,581	9,000
	TOTAL CIVIL SERVICES, CLASS II. - £	4,141,096	773,726

Sched. (B.)
Part 8.
Civil Services, Class III.

SCHEDULE (B.)—Part 8.

CIVIL SERVICES.—Class III.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the salaries of the law officers department, the salaries and expenses of the department of the Solicitor for the affairs of His Majesty's Treasury and King's Proctor, and the department of Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency -	86,317	19,000
2. For certain miscellaneous legal expenses, including grants in aid of the expenses of the Incorporated Law Societies of England and Ireland - - - - - -	49,994	12,731
3. For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund - - - - -	331,524	51,490
4. For the salaries and expenses of the office of Land Registry - - - - -	36,232	—
5. For the salaries and expenses of the office of Public Trustee - - - - -	10	25,490
6. For the salaries and expenses connected with the County Courts - - - -	5	503,554
7. For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, the contribution towards the expenses of the Metropolitan Police, and the salaries and expenses of the Inspectors of Constabulary - - - - -	107,312	77
8. For the expenses of the prisons in England, Wales, and the Colonies - - -	780,900	25,000
9. For the salaries and expenses of the office of the Inspector of Reformatories and for the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools and in places of detention under the Children Act, in Great Britain - - - - -	279,911	24,000
10. For the maintenance of criminal lunatics in Broadmoor Criminal Lunatic Asylum -	86,279	1,230
11. For the salaries and expenses of the Lord Advocate's department and other law charges, and the salaries and expenses of the Courts of Law and Justice in Scotland - -	84,590	51,800

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
12.	For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh - - - - - -	42,992	–
13.	For the salaries and expenses of the Establishment of the Crofters' Commission - -	4,655	—
14.	For the salaries and expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics and inmates of the State inebriate reformatory, and the preparation of judicial statistics - -	99,167	6,100
15.	For criminal prosecutions and other law charges in Ireland, including a Grant in relief of certain expenses payable by statute out of local rates - - - - - -	65,248	490
16.	For such of the salaries and expenses of the Supreme Court of Judicature and of certain other legal departments in Ireland as are not charged on the Consolidated Fund - -	111,343	3,850
17.	For the salaries and expenses of the office of the Irish Land Commission - - -	544,395	21,500
18.	For the salaries, allowances, and expenses of various county court officers, and of magistrates in Ireland, and the expenses of revision	110,645	5,100
19.	For the salaries and expenses of the Commissioner of Police, the police courts and the metropolitan police establishment of Dublin -	95,801	56,553
20.	For the expenses of the Royal Irish Constabulary	1,381,732	35,280
21.	For the expenses of the General Prisons Board in Ireland, and of the establishments under their control; the registration of habitual criminals and the maintenance of criminal lunatics confined in district lunatic asylums -	112,721	3,500
22.	For the expenses of reformatory and industrial schools in Ireland - - - - -	112,700	1,800
23.	For the maintenance of criminal lunatics in the Dundrum Criminal Lunatic Asylum, Ireland	7,368	—
	Total Civil Services, Class III. - £	4,531,859	848,545

Sched. (B.)
Part 9.
Civil Services.
Class IV.

SCHEDULE (B.)—Part 9.

CIVIL SERVICES.—Class IV.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including sundry grants in aid	14,375,442	8,160
2.	For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain grants in aid	183,271	12,500
3.	For the salaries and expenses of the National Gallery, and of the National Gallery of British Art, Millbank, including a grant in aid for the purchase of pictures	18,994	2,500
4.	For the salaries and expenses of the National Portrait Gallery, including a grant in aid for the purchase of portraits	5,738	—
5.	For the salaries and expenses of the Wallace Collection	6,523	800
6.	For sundry grants in aid of scientific investigation, &c., and other grants (including a supplementary sum of 2,000*l.*)	63,603	—
7.	For grants in aid of the expenses of certain Universities and Colleges in Great Britain and of the expenses under the Welsh Intermediate Education Act, 1889	303,800	—
8.	For public education in Scotland, and for Science and Art in Scotland, including a grant in aid	2,336,594	—
9.	For the salaries and expenses of the National Gallery, the Scottish National Portrait Gallery, and the Museum of Antiquities, including certain grants in aid	5,643	—
10.	For the expenses of the Commissioners of National Education in Ireland, including a grant in aid of the Teachers Pension Fund, Ireland (including a supplementary sum of 3,000*l.*)	1,656,324	150
11.	For the expenses of the Office of the Commissioners for managing certain school endowments in Ireland	930	—
12.	For the salaries and expenses of the National Gallery of Ireland, including a grant in aid for the purchase of pictures	3,146	—
13.	For grants under the Irish Universities Act, 1908	186,256	—
	Total Civil Services, Class IV. - £	19,146,264	24,110

SCHEDULE (B.)—Part 10.

Sched. (B.)
Part 10.
Civil Services.
Class V.

CIVIL SERVICES.—Class V.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote - -	628,031	106,320
2.	For sundry colonial services, including certain grants in aid - - - - - -	1,379,739	—
3.	For the subsidies to certain Telegraph Companies, and a grant in aid of the annual expenses of the Pacific Cable - - -	39,274	47,394
4.	For a grant in aid of the Revenue of the Island of Cyprus - - - - -	50,000	—
	Total Civil Services, Class V. - £	2,097,044	153,714

SCHEDULE (B.)—Part 11.

Sched. (B.)
Part 11.
Civil Services.
Class VI.

CIVIL SERVICES.—Class VI.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For superannuation, compensation, compassionate, and additional allowances, and gratuities under sundry Statutes, for compassionate allowances and gratuities awarded by the Treasury; and for the salaries of medical referees - - - -	774,763	—

Sched. (B.)
Part 11.
Civil Services.
Class VI.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
2.	For certain miscellaneous charitable and other allowances	1,449	—
3.	For hospitals and infirmaries and certain miscellaneous charitable and other allowances in Ireland, including sundry grants in aid	16,913	—
4.	For making good deficiencies on the Income Accounts of the Funds for Friendly Societies and Post Office Savings Banks	36,491	—
5.	For Old Age Pensions in the United Kingdom, and for certain administrative expenses in connection therewith	12,415,000	—
	Total Civil Services, Class VI. - £	13,244,616	—

Sched. (B.)
Part 12.
Civil Services.
Class VII.

SCHEDULE (B.)—Part 12.

CIVIL SERVICES.—Class VII.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and other expenses of temporary commissions, committees, and special inquiries	33,000	—
2.	For certain miscellaneous expenses	9,553	6,900
3.	For making good certain sums written off from the assets of the Local Loans Fund	2,395	—
4.	For the Ireland Development Grant (Grant in Aid)	185,000	—
5.	For a grant in aid of the Government Hospitality Fund	10,000	—

Sched. (B.)
Part 12.
Civil Services
Class VII.

No.	Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
	£	£
6. For expenditure in connection with International Exhibitions (including a grant in aid of the expenses of the Royal Commission for the Brussels, Rome, and Turin Exhibitions) (including a supplementary sum of 700*l.*)	35,700	—
7. For a grant in aid of the expenses which may be incurred on account of the Coronation of His Majesty the King	185,000	—
8. For the repayment to the Civil Contingencies Fund of certain Miscellaneous Advances	3,361	—
9. For contributions in aid of expenses under the Unemployed Workmen Act, 1905	100,000	—
10. For a grant to Their Majesties the King and Queen in aid of the expenses They may incur on the occasion of Their Visit to India	120,000	—
Total Civil Services, Class VII. - £	684,009	6,900

SCHEDULE (B.)—Part 13.

Sched. (B.)
Part 13.
Revenue
Departments,
&c.

REVENUE DEPARTMENTS, &c.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Revenue Departments, &c., herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1912; viz.:—

No.	Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
	£	£
1. For the salaries and expenses of the Customs and Excise Department (including a Supplementary Sum of 90,000*l.*)	2,371,400	57,850
2. For the salaries and expenses of the Inland Revenue Department	1,714,000	10,000
3. For the salaries and expenses of the Post Office, including Telegraphs and Telephones	21,082,445	615,001
Total Revenue Departments - £	25,167,845	682,851

Sched. (C.)
Navy Services.

SCHEDULE (C.)

Number of Vote.	NAVY SERVICES, 1909–10. VOTES.	Surpluses.			Deficits made good from Surpluses.		
		£	*s.*	*d.*	£	*s.*	*d.*
1	Wages, &c. of officers, seamen, and boys, Coastguard, and Royal Marines - - - -	—			11,752	14	5
2	Victualling and clothing for the Navy - - - -	—			5,876	12	9
3	Medical establishments and services - - - -	11,548	11	5	—		
4	Martial law - - - -	1,459	14	6	—		
5	Educational services - -	15,367	15	6	—		
6	Scientific services - - -	512	4	2	—		
7	Royal Naval Reserves - -	3,555	17	6	—		
8	Shipbuilding, repairs, maintenance, &c.:						
	I. Personnel - - -	6,312	15	9	—		
	II. Matériel - - -	55,161	13	5	—		
	III. Contract work - -	—			29,547	16	2
9	Naval armaments - - -	14,877	12	3	—		
10	Works, buildings, and repairs, at home and abroad - - -	62,200	8	7	—		
11	Miscellaneous effective services -	—			18,191	0	8
12	Admiralty Office - - -	—			6,619	0	0
13	Half-pay and retired pay - -	—			3,681	12	5
14	Naval and marine pensions, gratuities, and compassionate allowances - - -	15,614	1	4	—		
15	Civil pensions and gratuities -	—			8,728	18	9
—	Amount written off as irrecoverable - - - -	—			4,428	8	10
	Total - - - -	186,610	14	5	88,826	4	0
	Net Surplus - -	£97,784	10	5			

SCHEDULE (C.)

Sched. (C.)
Army Services.

Number of Vote.	ARMY SERVICES, 1909–10. VOTES.	Surpluses.			Deficits made good from Surpluses.		
		£	s.	d.	£	s.	d.
1	Pay, &c. of Army - - -	—			18,622	15	5
2	Medical establishment: Pay, &c.	397	18	11	—		
3	Special Reserves - - -	109,093	9	8	—		
4	Territorial Force - - -	—			376,902	4	0
5	Establishments for military education - - - -	3,253	11	0	—		
6	Quartering, transport, and remounts - - - -	97,516	8	3	—		
7	Supplies and clothing - -	—			63,232	14	3
8	Ordnance Department establishments and general stores - -	9,233	1	1	—		
9	Armaments and engineer stores -	330,016	18	0	—		
10	Works and buildings - -	108,212	18	10	—		
11	Miscellaneous effective services -	3,531	8	5	—		
12	War Office and army accounts department - - -	10,529	12	10	—		
13	Non-effective charges for officers, &c. - - - -	—			4,192	9	8
14	Non-effective charges for men, &c.	—			12,631	17	3
15	Civil superannuation, compensation, compassionate allowances, and gratuities - - -	2,018	6	0	—		
—	Balances irrecoverable and claims abandoned - - -	—			7,046	6	0
	Total - - -	673,803	13	0	482,628	6	7
	Net Surplus - -	£191,175	6	5			

amended by the Old Age Pensions Act 1919 (c.102) the Old Age Pensions Act 1924 (c. 33) the Widows Orphans and Old Age Contributory Pensions Act 1925 (c. 70) the Widows Orphans and Old Age Contributory Pensions Act 1929 (c. 10)

CHAPTER 16.

An Act to amend the Old Age Pensions Act, 1908.

[18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Calculation of date of attaining age of 70 or 60.

8 Edw. 7. c. 40.

Repealed by the Old Age Pensions Act 1936

1. For the purposes of the Old Age Pensions Act, 1908 (in this Act referred to as "the principal Act", a person shall be deemed, according to the law in Scotland as well as according to the law in England and Ireland, to have attained the age of seventy or sixty on the commencement of the day previous to the seventieth or sixtieth anniversary, as the case may be, of the day of his birth.

Calculation of means.

2.—(1) In calculating, for the purpose of the principal Act, the means of a person, account shall be taken of—

(*a*) the yearly value of any property belonging to that person (not being property personally used or enjoyed by him) which is invested, or is otherwise put to profitable use by him, or which, though capable of investment or profitable use, is not so invested or put to profitable use by him, the yearly value of that property being taken to be one-twentieth part of the capital value thereof;

(*b*) the income which that person may reasonably expect to receive during the succeeding year in cash, excluding any sums receivable on account of an old age pension under this Act, and excluding any sums arising from the investment or profitable use of property (not being property personally used or enjoyed by him), that income, in the absence of other means for ascertaining the income, being taken to be the income actually received during the preceding year;

(*c*) the yearly value of any advantage accruing to that person from the use or enjoyment of any property belonging to him which is personally used or enjoyed by him, except furniture and personal effects in a case where the total value of the furniture and effects does not exceed fifty pounds; and

(*d*) the yearly value of any benefit or privilege enjoyed by that person:

Provided that, where under paragraph (*a*) of the foregoing provisions the yearly value of any property is taken to be one-twentieth part of the capital value thereof, no account shall be taken under any other of those provisions of any appropriation of that property for the purpose of current expenditure.

(2) In calculating the means of a person being one of a married couple living together in the same house, the means shall be taken to be half the total means of the couple.

(3) The foregoing provisions of this section shall be substituted for subsections (1) and (2) of section four of the principal Act.

Provisions as to nationality and residence.

3. Notwithstanding anything in the principal Act—

(1) the condition as to nationality imposed by paragraph (2) of section two of the principal Act shall not be required to be fulfilled in the case of a woman who satisfies the pension authorities that she would, but for her marriage with an alien, have fulfilled the condition, and that, at the date of the receipt of any sum on account of a pension, the alien is dead, or the marriage with the alien has been dissolved or annulled, or she has, for a period of not less than two years up to the said date, been legally separated from, or deserted by, the alien:

(2) it shall be a statutory condition for the receipt of an old age pension by any person, that the person must satisfy the pension authorities that for at least twelve years in the aggregate out of the twenty years up to the date of the receipt of any sum on account of a pension he has had his residence in the United Kingdom:

Provided that for the purposes of computing the twelve years' residence in the United Kingdom under this provision—

(*a*) any periods spent abroad in any service under the Crown, the remuneration for which is paid out of moneys provided by Parliament, or as the wife or servant of a person in any such service so remunerated; and

(*b*) any periods spent in the Channel Islands or the Isle of Man by a person born in the United Kingdom; and

(*c*) any periods spent abroad by any person during which that person has maintained or assisted in maintaining any dependent in the United Kingdom; and

(*d*) any periods of absence spent in service on board a vessel registered in the United Kingdom by a person who before his absence on that service was living in the United Kingdom; and

(*e*) any periods of temporary absence not exceeding three months in duration at any one time;

shall be counted as periods of residence in the United Kingdom.

Amendments of section 3 of the principal Act.

4.—(1) Any rule of law and any enactment, the effect of which is to cause relief given to or in respect of a wife or relative to be treated as relief given to the person liable to maintain the wife or relative, shall not have effect for the purposes of section three of the principal Act (which relates to disqualification).

(2) Two years shall be substituted for ten years as the further period of disqualification under subsection (2) of section three of the principal Act, both as respects persons convicted before the passing of this Act, and, as respects persons convicted after the passing of this Act, in cases where the term for which a person has been ordered to be imprisoned without the option of a fine does not exceed six weeks.

61 & 62 Vict. c. 60.

(3) Any person in receipt of an old age pension who is convicted of any offence which is mentioned in or deemed to be mentioned or included in the First Schedule to the Inebriates Act, 1898, shall, if not subject to disqualification under the principal Act, be disqualified for receiving or continuing to receive an old age pension for a period of six months after the date of his conviction, unless the court before whom he is convicted direct to the contrary.

Limitations with respect to the payment of old age pensions.

5. A sum shall not be paid on account of an old age pension—

(*a*) to any person while absent from the United Kingdom; or

(*b*) if payment of the sum is not obtained within three months after the date on which it has become payable.

Amendments with respect to the raising and determination of questions as to old age pensions.

6.—(1) It is hereby declared that a question may be raised at any time—

(*a*) whether at any time or during any period a person has been in receipt of an old age pension when the statutory conditions were not fulfilled, or when he was disqualified for receiving the pension; and

(*b*) whether a person has been at any time or during any period in receipt of a pension at a certain rate when his means exceeded the amount which justified the payment of a pension at that rate, and, if so, at what rate the pension, if any, should have been paid; and

(*c*) whether a person who is in receipt of a pension at a certain rate is, having regard to his means, entitled to a pension at a higher or a lower rate, and, if so, at what rate the pension (if any) should be paid;

and that an application may be made at any time to alter or revoke a provisional allowance of a claim for a pension.

(2) Section seven of the principal Act shall apply to any such question or application as it applies to the questions mentioned in that section.

(3) Any such question may be raised notwithstanding that the decision of the question involves a decision as to the

correctness of a former decision of the local pension committee or central pension authority as the case may be, but, where by a later decision a former decision is reversed, a person who has received any sums on account of an old age pension in accordance with the former decision shall, notwithstanding anything in subsection (2) of section nine of the principal Act, in the absence of any fraud on his part, be entitled to retain any sum so received up to the date of the later decision which he would have been entitled to retain but for the reversal of the former decision.

(4) Where a question is raised as to the disqualification of a person to receive an old age pension and it is alleged that the disqualification has arisen since the person has been in receipt of the pension, and that the disqualification is continuing at the time the question is raised, or, if it has ceased, has ceased less than three weeks before that time, the payment of the pension shall be discontinued, and no sum shall be paid to the pensioner on account of the pension after the date on which the question is raised: Provided that, if the question is decided in favour of the pensioner, he shall be entitled to receive all sums which would have been payable to him if the question had not been raised.

(5) If the decision on any question involves the discontinuance of an old age pension, or the reduction of the rate at which the pension is paid, or if, in a case where the payment of the pension has been discontinued on the raising of the question, the question is not decided in favour of the pensioner, the person in respect of whose pension the decision is given shall not be entitled to receive a pension or to receive a pension at a rate higher than that determined by the committee or authority, as the case may be, notwithstanding any change of circumstances, unless he makes a fresh claim for the purpose and the claim is allowed, or, in a case where he alleges that he is entitled to receive a pension at a higher rate, raises a question for the purpose and the pension is allowed at a higher rate.

(6) It is hereby declared that a pension officer, if dissatisfied with any refusal or neglect of a local pension committee to consider a claim or determine a question, has, under paragraph (*d*) of subsection (1) of section seven of the principal Act, a right to apply to the central pension authority as a person aggrieved within the meaning of that provision.

Amendments of section 9 of principal Act.

7.—(1) Subsection (2) of section nine of the principal Act shall apply, with the necessary modifications, to cases where an old age pension is received at a higher rate than that appropriate to the case as it applies to cases where a person has been in receipt of an old age pension while the statutory conditions were not fulfilled.

(2) For the purposes of subsection (2) of section nine of the principal Act and this section, any decision of the local pension committee under section seven of the principal Act on any question which is not referred to the central pension

authority and the decision of the central pension authority on any question which is referred to them under that section shall be conclusive proof of any matters decided by the committee or the authority.

A copy of any decision of the local pension committee or central pension authority, if authenticated in manner provided by regulations to be made for the purpose under section ten of the principal Act, shall be received in evidence.

(3) Where any person who is in receipt of an old age pension is liable to repay to the Treasury any sums under subsection (2) of section nine of the principal Act in consequence of the finding of a local pension committee, or of the central pension authority in the case of a question referred to them, the Treasury shall be entitled, without prejudice to their powers under that subsection, to direct the deduction of those sums from any sums to which that person becomes entitled on account of an old age pension, in manner to be provided by regulations to be made for the purpose under section ten of the principal Act:

Provided that, in the case of a personal representative, the deduction shall only be made from any sums to which that person becomes entitled as a personal representative.

(4) A court of summary jurisdiction in Ireland shall have the same power as a court of summary jurisdiction in England, in the case of a person convicted for an offence under subsection (1) of section nine of the principal Act, to impose a fine not exceeding twenty-five pounds instead of imprisonment, if they think that the justice of the case would be better met by a fine than by imprisonment.

Saving for existing pensioners.

8. The provisions of this Act modifying the statutory conditions for the receipt of an old age pension shall not operate—

(*a*) so as to disentitle any person who is in receipt of such a pension at the time of the commencement of this Act to continue to receive his pension; or

(*b*) so as to reduce the rate of pension to which such a person is entitled.

Short title and construction.

9.—(1) The enactments mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

(2) Any reference in this Act to the principal Act or any enactment therein shall, unless the context otherwise requires, be construed as references to that Act or enactment as amended by this Act.

(3) This Act shall be read as one with the principal Act, and may be cited as the Old Age Pensions Act, 1911; and this Act and the principal Act may be cited together as the Old Age Pensions Acts, 1908 and 1911.

SCHEDULE.

Section 9.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 40	The Old Age Pensions Act, 1908.	In paragraph (2) of section two the words "and has had his residence "as defined by regulations under "this Act in the United Kingdom"; subsections (1) and (2) of section four; and the words "and for defining the meaning "of residence for the purposes "of this Act" in paragraph (*a*) of subsection (1) of section ten.

CHAPTER 17.

An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants for public works.

1.—(1) For the purpose of local loans, there may be issued by the National Debt Commissioners the following sums, namely:—

(*a*) For the purpose of loans by the Public Works Loan Commissioners, any sum or sums not exceeding in the whole the sum of five million pounds:

(*b*) For the purpose of loans by the Commissioners of Public Works in Ireland, any sum or sums not exceeding in the whole the sum of five hundred thousand pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

50 & 51 Vict. c. 16.

Certain debts not to be reckoned as assets of local loans fund.

2. Whereas it is expedient that the principal of the several local loans specified in the schedule to this Act should, to the extent specified in the last column of that Schedule, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887; therefore, the principal of the said loans shall to that extent be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

Remission of arrears of principal and interest in respect of Eyemouth Harbour loan.

3. Whereas in pursuance of an agreement made in the year eighteen hundred and ninety-two the sum of ten thousand pounds was advanced by the Public Works Loan Commissioners to the Eyemouth Harbour Trustees on the security of the harbour revenues with the collateral security of the Fishery Board for Scotland:

1 Edw. 7. c. 35.

And whereas under an arrangement confirmed by section three of the Public Works Loans Act, 1901, the liability of the Eyemouth Harbour Trustees in respect of the said loan has been extinguished without prejudice to the liability of the Fishery Board for Scotland to repay that loan, and, in consequence thereof, the said collateral security is the sole security for the repayment of the said loan:

And whereas the terms of the said collateral security are embodied in a memorandum of agreement between the Secretary for Scotland and the Public Works Loan Commissioners, dated the eleventh day of March eighteen hundred and ninety-two, whereby a portion of the "surplus herring brand fees," as defined in clause three of the said memorandum, was pledged in security for the repayment of the said loan with interest by the instalments and at the times mentioned in the security given by the Eyemouth Harbour Trustees for the said loan, and it was provided that the said portion of the "surplus herring brand fees" of any one year should only be applicable to the repayment of the one-fiftieth part of principal and interest on outstanding principal falling due under the security for the said loan in the same year, and should not be applicable to the repayment of arrears of principal:

And whereas the said portion of the "surplus herring brand fees" so pledged as aforesaid, was in the year ending the thirty-first day of March, nineteen hundred and eleven, insufficient to discharge in full the instalment of principal with interest which fell due under the security for the said loan in that year, and the principal sum of two hundred pounds, with interest amounting to two hundred and eight pounds four shillings and sixpence, now remains unpaid and under the terms of the said memorandum of agreement is irrecoverable:

Therefore the said principal sum of two hundred pounds shall be extinguished, and the said arrears of interest amounting to two hundred and eight pounds four shillings and sixpence shall be remitted.

Amendment of section 11 of 38 & 39 Vict. c. 89 as to term

4. In section eleven of the Public Works Loans Act, 1875, as amended by section five of the Public Works Loans Act, 1898, fifty years shall be substituted for thirty years as the maximum period for the repayment of a loan in a case where no period for repayment is specified by the special Act relating to the loan.

for repayment of loans.
61 & 62 Vict. c. 54.

5. This Act may be cited as the Public Works Loans Act, 1911.

Short title.

SCHEDULE.

Section 3.

Part I.

Loans by the Public Works Loan Commissioners.

Loan under the Harbours and Passing Tolls, &c. Act, 1861 (24 & 25 *Vict. c.* 47).

Name of Borrower.	Amount of Loan.	Amount to be written off.		
	£	£	s.	d.
Eyemouth Harbour Trustees - -	10,000	200	0	0

Part II.

Loans by the Commissioners of Public Works, Ireland.

(1) *Loans under the Labouring Classes Lodging Houses and Dwellings Act (Ireland)*, 1866 (29 & 30 *Vict. c.* 44).

Name of Borrower.	Amount of Loan.			Amount to be written off.		
	£	s.	d.	£	s.	d.
George Glorney - - - -	475	0	0	225	12	6
George Glorney - - - -	430 620	0 0	0 0	490	6	11

(2) *Loan under Landlord and Tenant (Ireland) Act*, 1870. (33 & 34 *Vict. c.* 46).

Name of Borrower.	Amount of Loan.			Amount to be written off.		
	£	s.	d.	£	s.	d.
Bridget Liston, Lower Grange, Knockaderry, co. Limerick.	800	0	0	139	1	0

(3) *Loans under the Land Law (Ireland) Act*, 1881
(44 & 45 *Vict. c.* 49. *s.* 31).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£ *s.* *d.*	£ *s.* *d.*
Thomas Liddane, Rehy, Cross, co. Clare	120 0 0	99 16 2
Michael McMahon, Ballynacragga, Newmarket-on-Fergus, co. Clare.	50 0 0	42 0 5
Michael Mullins, Knochadrehid, O'Brien's Bridge, co. Clare.	80 0 0	23 5 5
Michael Conway, Tooreen, Ballynamona, Mallow, co. Cork.	100 0 0	63 11 1
Daniel Crowley, Caher, Ballineen, co. Cork.	50 0 0	25 17 1
Denis Reynolds, Cormongan, Drumshambo, co. Leitrim.	50 0 0	30 9 3
Martin Slattery, Ballinvilla, Irishtown, Ballindine, Claremorris, co. Mayo.	40 0 0	18 15 9
James Kenneally and John Kenneally, Ballyboy, Clogheen, co. Tipperary.	100 0 0	54 13 4

CHAPTER 18.

An Act to amend the Indian High Courts Act, 1861.
[18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Increase of number of judges of High Court. 24 & 25 Vict. c. 104.

1. The maximum number of judges of a High Court of Judicature in India, including the Chief Justice, shall be twenty, and section two of the Indian High Courts Act, 1861, shall have effect accordingly.

Power to establish additional High Courts.

2. The power of His Majesty under section sixteen of the Indian High Courts Act, 1861, may be exercised from time to time, and a High Court may be established under that section in any portion of the territories within His Majesty's dominions in India, whether or not included within the limits of the local jurisdiction of another High Court; and, where such a High Court is established in any part of such territories included within the limits of the local jurisdiction of another High Court, it shall be lawful for His Majesty by letters patent to alter the local jurisdiction of that other High Court and to make such incidental, consequential, and supplemental provisions as may appear to be necessary by reason of the alteration of those limits.

3. Subject to the provisions of section two of the Indian High Courts Act, 1861, as amended by this Act, regulating the number and qualifications of judges, it shall be lawful for the Governor-General in Council to appoint from time to time persons to act as additional judges of any High Court for such period not exceeding two years as may be required, and the judges so appointed shall, whilst so acting, have all the powers of a judge of the High Court appointed by His Majesty under section two of the said Act: Provided that such additional judges shall not be taken into account in determining the proportions specified in the proviso to that section. Power to appoint temporary judges.

4. The salaries of any judges or temporary judges appointed under this Act shall be paid out of the Revenues of India. Salaries.

5. This Act may be cited as the Indian High Courts Act, 1911, and shall be construed as one with the Indian High Courts Act, 1861, and that Act and the Indian High Courts Act, 1865, and this Act, may be cited together as the Indian High Courts Acts, 1861 to 1911. Short title. 28 & 29 Vict. c. 15.

CHAPTER 19.

An Act to amend the Law relating to Labourers in Ireland. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The Bank of Ireland shall, upon the order of the Lord Chancellor, out of the fund of suitors in the Supreme Court, pay to the Local Government Board for Ireland for the purposes of the Labourers Acts the sum of thirty-six thousand pounds. Application of dormant portion of Irish Suitors' Fund to the purposes of the Labourers Acts.

(2) The Accountant General of the Supreme Court of Judicature in Ireland shall, upon the order of the Lord Chancellor, out of the new Two-and-a-half per cent. consolidated stock forming portion of the fund of suitors in the Supreme Court and standing to the credit of the general ledger account kept by him for dormant balances and the unclaimed order and residue account, Land Judge's Court, transfer to the Local Government Board for the purposes aforesaid stock to the nominal value of thirty thousand pounds.

(3) The Local Government Board may sell the stock transferred to them under this section at such time or times and in such manner as they think fit, and may invest the proceeds, together with the sum of thirty-six thousand pounds payable to them under this section, in any securities in which they are authorised to invest money by subsection (2) of section thirteen of the Labourers (Ireland) Act, 1906, as amended by this Act, 6 Edw. 7. c. 37.

and the annual income of those investments, together with any dividends on the stock so transferred to them, shall be added to and form portion of the Labourers' Cottages Fund established under section thirteen of that Act, and shall be applied as part of that fund accordingly.

(4) If it happens that the moneys or securities standing to the credit of the account of the suitors in the Supreme Court are at any time reduced to a sum not sufficient to meet the demands upon them or either of them, then the Treasury, so as to afford a complete indemnity to the suitors for any loss which they might sustain by reason of the passing of this Act, shall advance out of the Consolidated Fund or the growing produce thereof such sum as they may think necessary, not exceeding in the whole the sum of thirty-six thousand pounds and the amount which would be realised at the date of such demands as aforesaid by the sale of the stock transferred under this section, together with the dividends that would have accrued thereon if such stock had not been so transferred.

(5) Nothing in this section affects any indemnity provided with respect to the fund of suitors in the Supreme Court by any Act passed prior to the passing of this Act.

Amendment of 6 Edw. 7. c. 37. ss. 16 and 17.

2. In section sixteen of the Labourers (Ireland) Act, 1906, five million two hundred and fifty thousand pounds shall be substituted for four million two hundred and fifty thousand pounds as the limit of the amount of advances which may be made by the Irish Land Commission on the recommendation of the Local Government Board under that section: Provided that, if in any financial year the Labourers' Cottages Fund is not sufficient to pay the amount payable out of that fund in that year in pursuance of subsection (1) of section seventeen of the Labourers (Ireland) Act, 1906, the deficiency shall be apportioned rateably between the purchase annuities payable in respect of advances made by the Land Commission after the date of the passing of this Act, other than advances certified by the Local Government Board to be advances which would have been recommended and might have been made although the said limit had not been extended, and the amount of the deficiency apportioned to each annuity shall be paid as part of that annuity by the rural district council to whom the advance has been made.

Amendment of 6 Edw. 7. c. 37. s. 14, and 9 Edw. 7. c. 42. s. 11.

3. In section fourteen of the Labourers (Ireland) Act, 1906, which relates to payments out of the Ireland Development Grant, and section eleven of the Irish Land Act, 1909, which relates to the repayment of advances under the first-mentioned Act, the words "thirty-four thousand five hundred pounds" shall be substituted for the words "twenty-eight thousand pounds."

Extension of the Local Government Board's powers of investment.

4. The powers of investment given to the Local Government Board by subsection (2) of section thirteen of the Labourers (Ireland) Act, 1906, shall include a power to invest any money from time to time requiring investment for the purposes of the

Labourers' Cottages Fund in any manner in which trustees are authorised by section thirty-eight of the Irish Land Act, 1909, to invest money without the sanction of the Public Trustee. 9 Edw. 7. c. 42.

Demolition of dwelling-houses unfit for human habitation. 48 & 49 Vict. c. 77.

5.—(1) Where it appears to the Local Government Board, on the report of an inspector made under section seventeen of the Labourers (Ireland) Act, 1885, that any house occupied as a dwelling-house by a labourer is unfit for human habitation, the Board may, at any time, if they are satisfied that suitable house accommodation has been obtained or is obtainable by that labourer elsewhere, direct the council of the rural district in which the house is situated to serve forthwith upon the owner of the house a notice requiring him to demolish the house within such time as may be specified by the Board for that purpose, and it shall be the duty of the council to serve such notice as so directed.

(2) If the house is not demolished within the time specified in the notice, it shall be the duty of the council, and they are hereby empowered, to demolish the house forthwith.

(3) Any expenses reasonably incurred by the council in demolishing the house may be recovered by them from the owner as a civil debt in manner provided by the Summary Jurisdiction Acts.

(4) Where it appears to the Local Government Board that the council have failed to perform any of the duties imposed upon them by this section, the Board may, by order, appoint a paid officer to perform those duties, who for that purpose shall have such powers as may be specified in the order.

(5) The remuneration and expenses of any such officer shall be fixed by the Local Government Board, and shall be paid by the council, and may be recovered by such officer from the council as a civil debt in the manner provided by the Summary Jurisdiction Acts.

(6) The provisions of sections two hundred and sixty-six and two hundred and sixty-seven of the Public Health (Ireland) Act, 1878, as amended by any subsequent enactment, shall apply to notices under this section. 41 & 42 Vict. c. 52.

(7) A notice shall not be served under section seventeen of the Labourers (Ireland) Act, 1885, with respect to any house with respect to which a notice is directed to be served under this section.

Payment of purchase money and compensation into the county court. 53 & 54 Vict. c. 70.

6.—(1) In any case where the purchase money or compensation payable by a district council in respect of any land or in respect of any estate or interest in land required by them for the purposes of any of the Labourers Acts is payable into court under the Lands Clauses Acts, as amended by the Second Schedule to the Housing of the Working Classes Act, 1890, the council, if that purchase money or compensation does not exceed one hundred pounds, may pay the same into the county court and that court shall thereupon have with respect thereto all the jurisdiction exerciseable by the High Court under the

Lands Clauses Acts, and the council shall thereupon have with respect to the land, estate, or interest all the like rights and powers as if the purchase money or compensation had been paid into the High Court.

(2) Rules of the county court shall regulate the practice and procedure under this section, and the provisions of subsection (12) of section eleven of the Labourers (Ireland) Act, 1906, with respect to county court rules under that section shall apply to the rules to be made under this section.

6 Edw. 7. c. 37.

(3) In subsection (8) of the said section eleven the words "and exceeds ten pounds" are hereby repealed.

Evidence of orders of Local Government Board inspectors. 6 Edw. 7. c. 37.

7. A document purporting to be an order made by an inspector of the Local Government Board under section six of the Labourers (Ireland) Act, 1906, and to be signed by him, or purporting to be a copy of such an order and to be certified as such a copy by the secretary or assistant secretary of the Board, shall be admissible in evidence in any court or before any person having by law or consent of parties power to receive evidence.

Interpretation.

8. In this Act, unless the context otherwise requires,—

The expression "Labourers Acts" means the Labourers (Ireland) Acts, 1883 to 1906, and this Act;

The expression "fund of suitors in the Supreme Court" has the same meaning as in the Four Courts Library Act, 1894.

57 & 58 Vict. c. 4.

Construction and citation.

9. This Act shall be construed as one with the Labourers (Ireland) Acts, 1883 to 1906, and may be cited with those Acts.

Short title.

10. This Act may be cited as the Labourers (Ireland) Act, 1911.

CHAPTER 20.

An Act to make such amendments in the Law as are necessary to enable certain reserved provisions of the Second Geneva Convention to be carried into effect.

[18th August 1911.]

WHEREAS His Majesty has ratified, with certain reservations, the Convention for the amelioration of the condition of the wounded and sick of armies in the field, drawn up in Geneva in the year one thousand nine hundred and six, and it is desirable, in order that those reservations may be withdrawn, that such amendments should be made in the law as are in this Act contained:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) As from the commencement of this Act it shall not be lawful for any person to use for the purposes of his trade or business, or for any other purpose whatsoever, without the authority of the Army Council, the heraldic emblem of the red cross on a white ground formed by reversing the Federal colours of Switzerland, or the words "Red Cross" or "Geneva Cross," and, if any person acts in contravention of this provision, he shall be guilty of an offence against this Act, and shall be liable on summary conviction to a fine not exceeding ten pounds, and to forfeit any goods upon or in connection with which the emblem or words were used.

Prohibition of use of emblem of red cross on white ground, &c.

(2) Where a company or society is guilty of any such contravention, without prejudice to the liability of the company or society, every director, manager, secretary, and other officer of the company or society who is knowingly a party to the contravention shall be guilty of an offence against this Act and liable to the like penalty.

(3) Nothing in this section shall affect the right (if any) of the proprietor of a trade mark registered before the passing of this Act, and containing any such emblem or words, to continue to use such trade mark for a period of four years from the passing of this Act, and, if the period of the registration or of the renewal of registration of any such trade mark expires during those four years, the registration thereof may be renewed until the expiration of those four years, but without payment of any fee.

(4) Proceedings under this Act shall not in England or Ireland be instituted without the consent of the Attorney-General.

(5) This Act shall extend to His Majesty's possessions outside the United Kingdom, subject to such necessary adaptations as may be made by Order in Council.

2. This Act may be cited as the Geneva Convention Act, 1911.

Short title.

CHAPTER 21.

An Act to give power to make Regulations with respect to Cotton Cloth Factories. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The Secretary of State may make regulations for the purpose of giving effect to such of the recommendations contained in the Second Report, dated January nineteen hundred and eleven, of the Committee appointed by the Secretary of State on the twenty-seventh day of November nineteen hundred and

Power to make regulations as to cotton cloth factories.

seven to inquire into the question of humidity and ventilation in cotton cloth factories, as he may deem necessary for the protection of health in cotton cloth factories.

1 Edw. 7. c. 22. (2) Any regulations so made shall have effect as if embodied in Part V. of the Factory and Workshop Act, 1901 (in this Act referred to as the principal Act), and may be substituted for the provisions contained in sections ninety, ninety-one, ninety-two, ninety-four, and the Fourth Schedule of the principal Act, or any of those provisions, and those provisions or any of them for which regulations are so substituted shall cease to apply to cotton cloth factories.

(3) Section ninety-five of the principal Act shall apply to any contravention of or non-compliance with any regulations made under this Act, and, both in its application to those regulations and in its application to the provisions of that Act, shall be read as if twenty-four months were substituted for twelve months.

Short title.

1 Edw. 7. c. 22.
7 Edw. 7. c. 39.

2. This Act may be cited as the Factory and Workshop (Cotton Cloth Factories) Act, 1911, and shall be construed as one with the Factory and Workshop Acts, 1901 and 1907; and this Act and those Acts may be cited together as the Factory and Workshop Acts, 1901 to 1911.

CHAPTER 22.

An Act to continue various Expiring Laws.

[18th August 1911.]

WHEREAS the Acts mentioned in the schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December nineteen hundred and eleven:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of Acts in schedule.

1.—(1) The Acts mentioned in Part I. of the schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of December nineteen hundred and twelve, and shall then expire, unless further continued.

(2) The Acts mentioned in Part II. of the schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of March nineteen hundred and thirteen, and shall then expire, unless further continued.

(3) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the schedule to this Act or not.

Short title.

2. This Act may be cited as the Expiring Laws Continuance Act, 1911.

SCHEDULE.

Section 1.

Part I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 3 & 4 Vict. c. 89.	The Poor Rate Exemption Act, 1840.	The whole Act.	——
(2) 3 & 4 Vict. c. 91.	The Textile Manufactures (Ireland) Act, 1840.	The whole Act -	5 & 6 Vict. c. 68. 30 & 31 Vict. c. 60.
(3) 4 & 5 Vict. c. 30.	The Ordnance Survey Act, 1841.	The whole Act -	33 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.
(4) 10 & 11 Vict. c. 98.	The Ecclesiastical Jurisdiction Act, 1847.	As to the provisions continued by 21 & 22 Vict. c. 50.	——
(5) 14 & 15 Vict. c. 104.	The Episcopal and Capitular Estates Act. 1851.	The whole Act -	17 & 18 Vict. c. 116. 21 & 22 Vict. c. 94. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(6) 17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(7) 26 & 27 Vict. c. 105.	The Promissory Notes Act, 1863.	The whole Act -	45 & 46 Vict. c. 61.
(8) 27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act, 1864.	The whole Act.	——
(9) 28 & 29 Vict. c. 46.	The Militia (Ballot Suspension) Act, 1865.	The whole Act -	45 & 46 Vict. c. 49.
(10) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865	The whole Act -	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(11) 31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(12) 32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	The whole Act -	34 & 35 Vict. c. 61.
(13) 32 & 33 Vict. c. 56.	The Endowed Schools Act, 1869.	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87. 52 & 53 Vict. c. 40. 8 Edw. 7. c. 39.
(14) 33 & 34 Vict. c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act -	34 & 35 Vict. c. 100. 49 Vict. c. 6.
(15) 34 & 35 Vict. c. 87.	The Sunday Observation Prosecution Act, 1871.	The whole Act.	——
(16) 35 & 36 Vict. c. 33.	The Ballot Act, 1872 -	The whole Act -	45 & 46 Vict. c. 50. (Municipal Elections).
(17) 38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act -	46 & 47 Vict. c. 51. s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
(18) 39 & 40 Vict. c. 21.	The Jurors Qualification (Ireland) Act, 1876.	The whole Act -	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37. s. 69.
(19) 41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878.	The whole Act -	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58. 54 & 55 Vict. c. 49.
(20) 43 Vict. c. 18.	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act -	46 & 47 Vict. c. 51.
(21) 43 & 44 Vict. c. 42.	The Employers' Liability Act, 1880.	The whole Act -	6 Edw. 7. c. 58. s. 14.
(22) 46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	The whole Act -	58 & 59 Vict. c. 40.
(23) 47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	The whole Act -	56 & 57 Vict. c. 73.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(24) 49 & 50 Vict. c. 29.	The Crofters Holdings (Scotland) Act, 1886.	As to the powers of the Commissioners for the enlargement of holdings, s. 22.	50 & 51 Vict. c. 24. 51 & 52 Vict. c. 63. 54 & 55 Vict. c. 41.
(25) 51 & 52 Vict. c. 55.	The Sand Grouse Protection Act, 1888.	The whole Act.	—
(26) 52 & 53 Vict. c. 40.	The Welsh Intermediate Education Act, 1889.	As to the powers of the joint education committee and the suspension of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60.
(27) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act.	—
(28) 59 Vict. c. 1. -	The Local Government (Elections) Act, 1896.	The whole Act.	—
(29) 59 & 60 Vict. c. 48.	The Light Railways Act, 1896.	As to the powers of the Light Railway Commissioners.	—
(30) 61 & 62 Vict. c. 49.	The Vaccination Act, 1898	The whole Act -	7 Edw. 7. c. 31.
(31) 2 Edw. 7. c. 18.	The Licensing (Ireland) Act, 1902.	The whole Act.	—
(32) 3 Edw. 7. c. 36.	The Motor Car Act, 1903	The whole Act.	—
(33) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act.	—
(34) 5 Edw. 7. c. 18.	The Unemployed Workmen Act, 1905.	The whole Act.	—
(35) 7 Edw. 7. c. 55.	The London Cab and Stage Carriage Act, 1907.	As to the abolition of the privileged cab system, s. 2.	—
(36) 7 Edw. 7. c. 56.	The Evicted Tenants (Ireland) Act, 1907.	So far as it confers powers for the acquisition of land and for the determination of tenancies.	8 Edw. 7. c. 22.
(37) 8 Edw. 7. c. 58.	The Local Registration of Title (Ireland) Amendment Act, 1908.	The whole Act.	—

Part II.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(38) 59 & 60 Vict. c. 16.	The Agricultural Rates Act, 1896.	The whole Act.	—
(39) 59 & 60 Vict. c. 37.	The Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896.	The whole Act.	—

CHAPTER 23.

An Act to appropriate certain lands for the purposes of the National Gallery and the National Portrait Gallery and for other purposes connected therewith, and to make provision with respect to certain Crown lands forming part of or adjacent to St. James's Park.

[18th August 1911.]

WHEREAS it is expedient to appropriate for the purposes of the National Gallery and the National Portrait Gallery and for other purposes connected therewith certain pieces of land heretofore used for the purposes of St. George's Barracks:

And whereas one of the said pieces of land is vested in His Majesty and is under the management of the Commissioners of Woods, and the others of the said pieces of land are vested in the Secretary of State for the War Department:

And whereas it is expedient that for the purposes aforesaid the said pieces of land should be vested in the Commissioners of Works:

And whereas the said pieces of land are delineated on a plan signed by the Right Honourable William, Earl Beauchamp, First Commissioner of Works, and deposited at the Office of the Commissioners of Works (in this Act referred to as the deposited plan No. 1), and thereon coloured, as to the piece of land vested in His Majesty, blue, and, as to the pieces of land vested in the said Secretary of State, yellow:

And whereas another plan (in this Act referred to as the deposited plan No. 2) has been signed by the said Right Honourable William, Earl Beauchamp, and deposited at the Office of the Commissioners of Works:

And whereas the piece of land coloured green on the deposited plan No. 2 (which piece of land is in this Act referred to as "the Park land") is vested in His Majesty as part of the hereditary land revenues of the Crown and forms part of St. James's Park and is under the management of the Commissioners of Works:

And whereas the pieces of land coloured pink and the pieces of land hatched blue on the deposited plan No. 2 (which pieces of land are in this Act referred to as "the leased land") are vested in His Majesty as part of the hereditary land revenues of the Crown, subject however to the leasehold interest therein of the London County Council for a term expiring on the fifth day of April nineteen hundred and fifty-eight:

And whereas for the purpose of certain works and alterations in St. James's Park it is expedient that the leased land should be thrown into and become part of St. James's Park, and that, in consideration of the surrender by the London County Council of their leasehold interest in the leased land, the Commissioners of Woods should be empowered to grant to the Council a lease of the Park land:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Vesting of certain land adjoining National Gallery in Commissioners of Works.

1.—(1) All estate and interest of the Secretary of State for the War Department in the lands coloured yellow on the deposited plan No. 1 shall, by virtue of this Act on and after the passing of this Act, become vested in the Commissioners of Works.

(2) The land coloured blue on the deposited plan No. 1 shall, by virtue of this Act on and after the passing of this Act, vest in the Commissioners of Works for all the estate and interest of His Majesty therein, and shall accordingly thereafter be under the management of the Commissioners of Works.

Appropriation of lands for purposes of National Gallery and National Portrait Gallery.

2. The said lands delineated on the deposited plan No. 1 shall be appropriated for the purposes of the National Gallery and the National Portrait Gallery, or for the purposes of one or other of those Galleries, in such manner as the Commissioners of Works determine:

Provided that the Commissioners of Works may—

(*a*) till such time as the said lands are required for the said purposes, employ the said lands for such other public purposes as they think fit; and

(*b*) with the consent of the Treasury, appropriate any part of the said lands for the purpose of forming or widening public highways adjoining the said Galleries.

Consideration payable to His Majesty in respect of Crown lands.

3. The sum payable to His Majesty by way of consideration in respect of the estate and interest of His Majesty in the land coloured blue on the deposited plan No. 1 shall be forthwith ascertained in accordance with the provisions of this section by a surveyor to be appointed for the purpose by the Treasury, and, whenever the income of the land revenues of the Crown ceases to be carried to and to form part of the Consolidated Fund and is retained by the Crown as part of its hereditary revenues, the sum so ascertained shall be paid to the Commissioners of Woods out of the Consolidated Fund, and shall be carried to the account of the capital of the land revenues of the Crown, and applied as part thereof.

For the purpose of ascertaining the sum payable under this section, the said land shall be taken to be divested of any buildings existing thereon.

Power of Commissioners of Woods to dispose of piece of land forming part of St. James's Park, and land surrendered by London County Council to become part of St. James's Park.

4.—(1) In the event of the London County Council surrendering to His Majesty all the interest of the Council in the leased land—

(*a*) The Park land shall cease to form part of St. James's Park and the management thereof shall be transferred from the Commissioners of Works to the Commissioners of Woods, and accordingly all the powers of the Commissioners of Woods under the Crown Lands Acts, 1829 to 1906, shall apply to the Park land as they apply to the possessions and land revenues of the Crown which do not form part of a Royal Park; and

(*b*) The leased land shall, on the surrender by the London County Council of their interest therein, become part of St. James's Park and accordingly thereafter be under the management of the Commissioners of Works.

(2) Nothing in this section shall be taken to affect or prejudice in any manner so much of an agreement made the eleventh day of April nineteen hundred and ten between George Granville Leveson Gower, a Commissioner of Woods, of the first part, the London County Council of the second part, and the Commissioners of Works of the third part, as provides for the enjoyment by the said George Granville Leveson Gower, as such Commissioner, and by the London County Council, of certain ways, lights, and other easements mentioned in the agreement.

Short title.

5. This Act may be cited as the National Gallery and St. James's Park Act, 1911.

CHAPTER 24.

An Act to consolidate and amend the Law relating to the payment of Pensions to Governors of any part of His Majesty's Dominions, or any British Protectorate, or persons holding a similar office. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to grant pensions to Governors.

1.—(1) Subject to the provisions of this Act, the Secretary of State may, with the approval of the Treasury, by writing under his hand, grant a pension to any Governor within the meaning of this Act who has completed not less than ten years' service as such a Governor, and has either—

(*a*) attained the age of sixty years; or

(*b*) become, in the opinion of the Secretary of State, incapable of discharging the duties of his office by reason of some infirmity of mind or body which is likely to be permanent; or

(*c*) retired, or been removed, from his office in consequence of the abolition thereof.

(2) The decision of the Secretary of State, confirmed by the Treasury, with respect to the claim of any person to a pension under this Act shall be final.

Calculation of amount of pension.

2. The amount of pension under this Act for Governors within the meaning of this Act shall be calculated in accordance with the following rules:—

(1) Governorships within the meaning of this Act shall be divided for the purposes of pension into four classes, to be called Class I., Class II., Class III., and Class IV. The division shall be made by order of the Secretary of State approved by the Treasury and laid before Parliament, and any order so made may be revoked or varied by an order made in a similar manner:

(2) The unit of pension for every completed month's service as Governor shall be five pounds for Class I., four pounds for Class II., three pounds for Class III., and two pounds for Class IV.:

(3) Where a Governor's service has been in one class only, the yearly amount of his pension shall be the amount produced by multiplying the unit of pension for that class by the number of completed months' service:

(4) Where a Governor's service has been in more than one class, the unit of pension for each class in which he has served shall be multiplied by the number of completed months' service in that class, and the yearly amount of the pension shall be the sum of the amounts so produced.

Provisions as to holding other pensions with Governor's pension.

3. A pension may be granted in respect of service in the permanent Civil Service of the State, under the Superannuation Acts, 1834 to 1909, to any Governor within the meaning of this Act who is entitled to receive a pension under this Act, in the same manner and subject to the same provisions, as far as applicable, as if, on the completion of that service, he had retired on the ground of ill-health, and any pension so granted to him or granted to him in respect of any other service may be held by him in addition to his pension under this Act, subject to the provisions of this Act as to the maximum yearly amount of the pension to be received.

Maximum amount of pension.

4.—(1) The yearly amount of a pension under this Act shall not exceed thirteen hundred pounds.

(2) Where a person is entitled to receive a pension under this Act, and is also in receipt of any other sum by way of pension granted in respect of employment in the service of the Crown—

(*a*) he shall not receive the pension under this Act so long as the yearly amount of the other sum so received is thirteen hundred pounds or upwards; and

(*b*) if the yearly amount of the other sum so received is less than thirteen hundred pounds, he shall not receive a greater sum in respect of the pension under this Act than the difference between that yearly amount and thirteen hundred pounds.

Reckoning of Governor's service for Civil Service pension in certain cases, and provision as to gratuity on death while serving as Governor.
9 Edw. 7. c. 10.

5.—(1) Where any person having served as a Governor within the meaning of this Act, and having likewise been employed in service in the permanent Civil Service of the State, has not become entitled to receive a pension under this Act in respect of his service as Governor, the number of years served by him as Governor shall, for the purpose of computing any pension which may be granted to him under the Superannuation Acts, 1834 to 1909, be deemed to have been passed in service in the permanent Civil Service of the State and at the rate of salary last received by him in respect of his employment in that Service (emoluments being reckoned for this purpose as salary).

(2) Where a Governor within the meaning of this Act who was immediately before his appointment as Governor employed in the permanent Civil Service of the State dies while he is Governor, subsection (1) of section two of the Superannuation Act, 1909 (which provides for a gratuity in case of death in certain cases), shall apply in his case as if he was at the time of his death employed in the permanent Civil Service of the State at the rate of salary last received by him in respect of his employment in that service (emoluments being reckoned for this purpose as salary).

For the purposes of this provision, employment in the permanent Civil Service of a colony shall not be deemed to be employment in the permanent Civil Service of the State, notwithstanding anything in section two of the Pensions (Colonial Service) Act, 1887.

50 & 51 Vict. c. 13.

Deduction from pension on account of salary or emolument other than pension.

6. If any person to whom a pension has been granted under this Act is, or thereafter becomes, entitled to any salary or other emolument from any public revenue raised, or in respect of any public services performed, within His Majesty's dominions (other than a pension), his pension under this Act shall be reduced by half the amount of the salary or emolument.

Advancement to higher rate of pension.

7. If any person to whom a pension has been granted under this Act becomes by reason of re-employment entitled to a pension of an increased yearly amount under this Act the Secretary of State may, with the approval of the Treasury, and subject to the maximum yearly amount of a pension under this Act, by writing under his hand, grant him a pension of an increased yearly amount.

Obligation to accept re-employment till age of 60. and continue in office till age of 65.

8. If any person who has served as a Governor within the meaning of this Act, and has not attained the age of sixty, is called upon by His Majesty to undertake any Governorship within the meaning of this Act, and, not being incapable from infirmity of mind or body of executing the duties of the office, refuses to undertake the Governorship, or if any such person, not being of the full age of sixty-five, relinquishes any such Governorship without the permission of His Majesty, or neglects or declines to execute the duties of the office satisfactorily, the Secretary of State may, by writing under his hand, declare that that person has forfeited all claim to any pension under this Act, and the claim to pension shall thereupon be forfeited accordingly.

Power to grant a reduced pension in special cases.

9.—(1) Where in any special case it appears to the Secretary of State and the Treasury that it is impracticable to find appropriate employment in the public service for a person who has served as a Governor within the meaning of this Act, and who would be entitled under the foregoing provisions of this Act to receive a pension under this Act if he had attained the age of sixty years, and that it is in the interests of the public service to grant him a pension under this Act, the Secretary of State may, by writing under his hand, grant him such a pension as if he had attained the age of sixty years, but in such a case the full yearly amount of the pension shall be reduced by one two-hundred-and-fortieth for every complete month which must elapse between the date on which the pension becomes payable and the time at which the person to whom the pension is granted will attain the age of sixty :

Provided that, if those reductions would amount to more than half the full yearly amount of the pension, the pension shall not be reduced by more than half of its full amount.

(2) A pension may be granted in respect of service in the permanent Civil Service of the State to any Governor who receives a pension under this section in the same manner as if he had received a pension under the foregoing provisions of this Act.

(3) A minute of the Secretary of State, approved by the Treasury, granting a pension under this section shall set forth the amount of the pension granted and the reasons for the grant, and shall be laid before Parliament.

Provision as to determining amount of service as Governor.

10. The Secretary of State may, with the consent of the Treasury, determine under what conditions and to what extent any person shall be deemed for the purposes of this Act to have been serving as a Governor within the meaning of this Act while serving as provisional Governor, or while proceeding to his government, or while absent from his government with the permission of His Majesty.

Provision of money for pensions.

11. All pensions granted under this Act shall be paid out of moneys provided by Parliament, and a statement of all such pensions shall be laid annually before Parliament.

Interpretation, repeal, and short title.

12.—(1) For the purposes of this Act—

The expression "Governor" means the Governor or administrator of any part of His Majesty's dominions (exclusive of the British Islands and of British India), or of a British Protectorate, and includes the High Commissioner of Cyprus, and the expression "Governorship" shall be construed accordingly;

The expression "service in the permanent Civil Service of the State" means service in respect of which a pension may be granted under the Superannuation Acts, 1834 to 1909;

The expression "pension" includes any superannuation or other retiring allowance, including any Navy or Army retired pay, and also includes any capital sum paid on or in respect of retirement, or by way of commutation of a pension payable periodically;

Where any pension or any part thereof consists of a capital sum, the yearly amount of that sum shall, for the purpose of this Act, be taken to be the yearly amount which would actuarially be the equivalent of the capital sum, having regard to the expectation of life of the person receiving the sum.

(2) The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule:

Provided that—

(*a*) In section two of the Pensions (Colonial Service) Act, 1887, a reference to this Act shall be substituted for a reference to the Colonial Governors (Pensions) Acts, 1865 and 1872; and

50 & 51 Vict. c. 13.
28 & 29 Vict. c. 113.
35 & 36 Vict. c. 29.

(*b*) The repeal shall not affect the rights of any person to whom a pension has been granted under the enactments repealed to receive that pension; and

(*c*) The repeal shall not affect the rights of any person who is serving or has served as a Governor within the meaning of this Act at the time of the passing of this Act to receive a pension under the repealed enactments in cases where he is entitled to receive a pension under those enactments but not entitled to receive a pension under this Act; and

(*d*) If a person who is serving or has served as a Governor within the meaning of this Act at the time of the passing of this Act subsequently becomes entitled to receive a pension in respect of that service under this Act, and would also have been entitled to receive a pension under the repealed enactments, a pension may be granted to him at his option either in accordance with the provisions of this Act or in accordance with the provisions of the repealed enactments.

(3) This Act may be cited as the Pensions (Governors of Dominions, &c.) Act, 1911.

SCHEDULE.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
28 & 29 Vict. c. 113.	The Colonial Governors (Pensions) Act, 1865.	The whole Act.
35 & 36 Vict. c. 29.	The Colonial Governors (Pensions) Act, 1872.	The whole Act.
50 & 51 Vict. c. 13.	The Pensions (Colonial Service) Act, 1887.	Sections three, four, and five.

CHAPTER 25.

An Act to amend the Government of India Act, 1858.
[18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 21 & 22 Vict. c. 106.

1. In section eighteen of the Government of India Act, 1858, the words "or to his legal personal representative such gratuity" shall be inserted after the words "such compensation, superannuation, or retiring allowance" where they secondly occur, and the words "or to personal representatives of such persons" shall be inserted after the words "public service," and also at the end of the section.

Confirmation of past grant of gratuity.

2. Any grant to the legal personal representative of a deceased officer or servant on the establishment of the Secretary of State in Council made out of the revenues of India before the passing of this Act shall be deemed to have been lawfully made.

Short title.

3. This Act may be cited as the Government of India Act Amendment Act, 1911.

CHAPTER 26.

An Act to make provision in relation to the transfer to the Postmaster General of the plant, property, and assets, and of the staff of the National Telephone Company, Limited, and for the further improvement of Telephonic Communication. [18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

FINANCIAL PROVISIONS.

Powers for discharge of telephone purchase money.

29 & 30 Vict. c. 39.

1.—(1) The Treasury may, for the purpose of providing for the payment of the telephone purchase money as defined by this Act,—

(*a*) notwithstanding anything in the Exchequer and Audit Departments Act, 1866, treat any sums paid to the Postmaster General by the National Telephone Company, Limited (herein-after referred to as the

Company), on account of sums paid in advance to the Company by subscribers in respect of services to be rendered during a future period, as sums to be applied in payment of the purchase money; and

(*b*) issue out of the Consolidated Fund or the growing produce thereof any sums which may be required for the payment of that part of the telephone purchase money which is payable in cash, so far as provision is not otherwise made for that payment; and

(*c*) issue to the Company, or to such persons as the Company may direct, such terminable annuities as may be required for the discharge of that part of the telephone purchase money which is not payable in cash.

(2) If so agreed between the Treasury and the Company, the Treasury may, instead of issuing terminable annuities for the discharge of that part of the telephone purchase money which is not payable in cash, issue to the Company or to such persons as the Company may direct, such amount of Exchequer bonds bearing interest at the rate of three per cent. per annum as may be agreed upon between the Treasury and the Company.

Any Exchequer bonds so issued shall be paid off by the Treasury at the rate of one hundred pounds sterling for every one hundred pounds of the bond, together with all arrears of interest, before the expiration of such period not exceeding twenty years, and at such times within that period, and in such amounts and manner, as may be fixed by the Treasury.

Any Exchequer bonds so issued shall, notwithstanding anything in section twenty-six of the Exchequer Bills and Bonds Act, 1866, be made out and issued with coupons for the interest becoming due thereon for a term not exceeding twenty years from the date thereof. 29 & 30 Vict. c. 25.

Grant for the purpose of the Telegraph Acts.

2. The Treasury may, with a view to the development of that part of the telegraphic system of the United Kingdom which is called the telephonic system, without prejudice to the exercise of any powers previously given for the like purpose, issue out of the Consolidated Fund or the growing produce thereof such sums, not exceeding in the whole the sum of four million pounds, as may be required by the Postmaster General for the purpose of developing the telephonic system aforesaid according to estimates approved by the Treasury.

Borrowing for purposes of issues out of Consolidated Fund.

3. The Treasury may, if they think fit, with a view to providing money for sums authorised under this Act to be issued from the Consolidated Fund for the purpose of the payment of the telephone purchase money, or for the purpose of the development of the telephonic system, or for repaying to that fund all or any part of the sums so issued, borrow by means of terminable annuities for a term not exceeding twenty years, and all sums so borrowed shall be paid into the Exchequer.

Charge on Consolidated Fund of terminable annuities and Exchequer bonds.

4. Any terminable annuities created under this Act for the purpose of providing money for sums authorised to be issued out of the Consolidated Fund, or for the purpose of the discharge of the telephone purchase money, and the principal of and interest on any Exchequer bonds issued for the purpose of the discharge of the telephone purchase money, shall be paid out of moneys provided by Parliament for the service of the Post Office, and, if those moneys are insufficient, shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

Audit.

5. The Postmaster General shall, within eight months after the end of every financial year in which money is issued or expended under this Act, cause to be made out an account, in the form required by the Treasury, showing the money expended and borrowed and the securities created under the Telegraph Act, 1892, the Telegraph (Money) Act, 1896, the Telegraph (Money) Act, 1898, the Telegraph Act, 1899, the Telegraph (Money) Act, 1904, the Telegraph (Money) Act, 1907, and this Act, and the account of expenditure under those Acts shall be audited and reported on by the Comptroller and Auditor General as an appropriation account in manner directed by the Exchequer and Audit Departments Act, 1866.

55 & 56 Vict. c. 59.
59 & 60 Vict. c. 40.
61 & 62 Vict. c. 33.
62 & 63 Vict. c. 38.
4 Edw. 7. c. 3.
7 Edw. 7. c. 6.
29 & 30 Vict. c. 39.

Part II.

Rights of Company's Officers to Superannuation Allowances.

Provisions as to superannuation of transferred officers.

6. In the application of the Superannuation Acts, 1834 to 1909, to a transferred officer who on his transfer is appointed to a pensionable office, or is appointed to such an office subsequently to his transfer, having since the date of his transfer served continuously in the civil service, the following modifications shall be made in favour of the officer:—

(1) Appointment with a certificate from the Civil Service Commissioners shall not be required, notwithstanding that the appointment is not held directly from the Crown:

(2) Continuous service with the Company shall be treated as service in the office to which an officer is first transferred for the purpose of calculating the period of ten years' service required as a condition for entitling a civil servant to a superannuation allowance under the Superannuation Acts, 1834 to 1909, and the period of five years' service required as a condition for entitling a civil servant to a gratuity under section two of the Superannuation Act, 1909:

9 Edw. 7. c. 10.

(3) The conditions mentioned in the foregoing paragraph shall not apply in the case of an officer who has served continuously in the Company's service from the fifteenth day of August nineteen hundred and four to the date of his transfer:

(4) The superannuation allowance which may be granted to an officer who would not be entitled to a superannuation allowance but for the foregoing provisions shall be calculated at the same rate for each completed year of service in a pensionable office as that prescribed under the Superannuation Acts, 1834 to 1909, for civil servants who have entered the service after the passing of the Superannuation Act, 1909, and completed ten years' service in a pensionable office:

(5) If the officer is not a contributor to the Company's pension fund, or has not assigned to the Postmaster General his share in that fund, his continuous service with the Company prior to the date of his transfer up to a period not exceeding two years shall be treated as service in the office to which he is first transferred:

(6) In the case of a contributor to the Company's pension fund, his service during the period of contribution and, in the case of an original member of the fund, the whole of his continuous service with the Company, shall, if he assigns to the Postmaster General his share of the fund, be treated as service in the office to which he is first transferred:

(7) In the case of an original member of the Company's pension fund to whom a superannuation allowance is granted on or after his attaining the age of sixty years, the amount of that allowance, together with the annual value, actuarily determined, of any additional allowance granted to him under subsection (2) of section one of the Superannuation Act, 1909, shall not be less than two-thirds of the amount which he was receiving as salary on the first day of January eighteen hundred and ninety-six, together with the amount of any additional pension purchased under the terms of the deed of trust creating the Company's pension fund by means of contributions made to the fund in respect of increments of salary accruing during the years eighteen hundred and ninety-six to nineteen hundred and eleven, inclusive.

For the purposes of this section—

"A contributor to the Company's pension fund" means an officer who has contributed continuously to that fund up to the date of his transfer;

Service with the Company includes service with any other telephone company which has been amalgamated with or absorbed by the Company, or with any authority whose telephone undertaking or business has been taken over by the Company;

An officer shall be deemed to assign to the Postmaster General his share of the Company's pension fund if he assigns to the Postmaster General any share of the fund to which he may be entitled on the fund being apportioned amongst the members thereof or otherwise wound up, or, in the case of an officer who is appointed to a pensionable office after the fund is so apportioned or otherwise wound up and has not previously assigned his share, if he pays over to the Postmaster General the amount of his share, together with compound interest at the rate of three per cent. per annum, calculated from the date of the receipt of his share.

Provision as to gratuities to transferred officers. 50 & 51 Vict. c. 67.

7. Subject to the provisions of this Act, in the application of section four of the Superannuation Act, 1887, to a transferred officer who is not on his transfer or subsequently appointed to a pensionable office in the Civil Service, continuous service with the Company shall be treated as service in the office to which the officer is first transferred for the purpose of calculating the qualifying periods mentioned in that section.

Part III.

General.

Temporary provisions as to transfer.

8. For the purpose of enabling the company to prepare and conduct their claim for purchase money under the provisions of the purchase agreements, and to enter into agreements with the Postmaster General, and to discharge the liabilities of the company, and generally to carry on the business of the company, and to wind up their affairs and dissolve the company, the company may, after the thirty-first day of December nineteen hundred and eleven, temporarily retain for their own use the services of such officers as they may select, to such reasonable number, for such time, and on such conditions as may be approved by the Postmaster General; but the officers so temporarily retained shall be deemed nevertheless for the purposes of the provisions of this Act in relation to the company's officers to have become officers of the Postmaster General as from the said thirty-first day of December nineteen hundred and eleven.

Interpretation.

9. In this Act, unless the context otherwise requires,—

The expression " the telephone purchase agreements " means certain indentures dated respectively the second day of February and the eighth day of August nineteen hundred and five and respectively made between the Right Honourable Edward George Villiers Stanley, C.B., commonly called Lord Stanley, His late Majesty's then Postmaster General, on behalf of His late Majesty, of the one part, and the National Telephone Company, Limited, of the other part ;

The expression "the telephone purchase money" means such sums as may be payable to the company by virtue of any award or awards of the Railway and Canal Commission in respect of the purchase of the plant, property, and assets of the company which the Postmaster General has agreed to purchase or has power to purchase under the purchase agreements together with interest from the thirty-first day of December nineteen hundred and eleven at the rate of three per cent. per annum on any amount thereof which is not discharged;

The expression "office" includes any place, situation, or employment; and the expression "officer" shall be construed accordingly;

The expression "transferred officer" means any officer of the Company who is employed in the Civil Service of the State on or in consequence of the carrying into effect of the telephone purchase agreements, and the expressions "transfer" and "transferred" as respects an officer shall be construed accordingly;

The expression "pensionable office" means any office service in which is service qualifying the officer for a superannuation allowance under the Superannuation Acts, 1834 to 1909;

The expression "the Company's pension fund" means the pension fund established under the deed of trust creating a pension fund for the employees of the National Telephone Company, Limited, dated the thirtieth day of July eighteen hundred and ninety-six; and the expression "original member of the fund" means a person who is entitled under paragraph (*a*) of article two of the said deed of trust to a retiring pension at sixty-five years of age, equal to two-thirds of his salary as on the first day of January eighteen hundred and ninety-six.

Short title and construction.

10.—(1) This Act may be cited as the Telephone Transfer Act, 1911.

(2) This Act may be cited with the Telegraph Acts, 1863 to 1909, and, so far as it relates to employees of the Company, shall be read as one with the Superannuation Acts, 1834 to 1909.

CHAPTER 27.

An Act to consolidate, amend, and extend certain enactments relating to Animals and to Knackers; and to make further provision with respect thereto.

[18th August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Offences of cruelty.

1.—(1) If any person—

(*a*) shall cruelly beat, kick, ill-treat, over-ride, over-drive, over-load, torture, infuriate, or terrify any animal, or shall cause or procure, or, being the owner, permit any animal to be so used, or shall, by wantonly or unreasonably doing or omitting to do any act, or causing or procuring the commission or omission of any act, cause any unnecessary suffering, or, being the owner, permit any unnecessary suffering to be so caused to any animal; or

(*b*) shall convey or carry, or cause or procure, or, being the owner, permit to be conveyed or carried, any animal in such manner or position as to cause that animal any unnecessary suffering; or

(*c*) shall cause, procure, or assist at the fighting or baiting of any animal; or shall keep, use, manage, or act or assist in the management of, any premises or place for the purpose, or partly for the purpose, of fighting or baiting any animal, or shall permit any premises or place to be so kept, managed, or used, or shall receive, or cause or procure any person to receive, money for the admission of any person to such premises or place; or

(*d*) shall wilfully, without any reasonable cause or excuse, administer, or cause or procure, or being the owner permit, such administration of, any poisonous or injurious drug or substance to any animal, or shall wilfully, without any reasonable cause or excuse, cause any such substance to be taken by any animal; or

(*e*) shall subject, or cause or procure, or being the owner permit, to be subjected, any animal to any operation which is performed without due care and humanity;

such person shall be guilty of an offence of cruelty within the meaning of this Act, and shall be liable upon summary conviction to a fine not exceeding twenty-five pounds, or alternatively, or in addition thereto, to be imprisoned, with or without hard labour, for any term not exceeding six months.

(2) For the purposes of this section, an owner shall be deemed to have permitted cruelty within the meaning of this Act if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom:

Provided that, where an owner is convicted of permitting cruelty within the meaning of this Act by reason only of his having failed to exercise such care and supervision, he shall not be liable to imprisonment without the option of a fine.

(3) Nothing in this section shall render illegal any act lawfully done under the Cruelty to Animals Act, 1876, or shall apply—

39 & 40 Vict. c. 77.

(*a*) to the commission or omission of any act in the course of the destruction, or the preparation for destruction, of any animal as food for mankind, unless such destruction or such preparation was accompanied by the infliction of unnecessary suffering; or

(*b*) to the coursing or hunting of any captive animal, unless such animal is liberated in an injured, mutilated, or exhausted condition; but a captive animal shall not, for the purposes of this section, be deemed to be coursed or hunted before it is liberated for the purpose of being coursed or hunted, or after it has been recaptured, or if it is under control.

Power for court to order destruction of animal.

2. Where the owner of an animal is convicted of an offence of cruelty within the meaning of this Act, it shall be lawful for the court, if the court is satisfied that it would be cruel to keep the animal alive, to direct that the animal be destroyed, and to assign the animal to any suitable person for that purpose; and the person to whom such animal is so assigned shall, as soon as possible, destroy such animal, or cause or procure such animal to be destroyed, in his presence without unnecessary suffering. Any reasonable expenses incurred in destroying the animal may be ordered by the court to be paid by the owner, and thereupon shall be recoverable summarily as a civil debt:

Provided that, unless the owner assent, no order shall be made under this section except upon the evidence of a duly registered veterinary surgeon.

Power for court to deprive person convicted of cruelty of ownership of animal.

3. If the owner of any animal shall be guilty of cruelty within the meaning of this Act to the animal, the court, upon his conviction thereof, may, if they think fit, in addition to any other punishment, deprive such person of the ownership of the animal, and may make such order as to the disposal of the animal as they think fit under the circumstances:

Provided that no order shall be made under this section, unless it is shown by evidence as to a previous conviction, or as to the character of the owner, or otherwise, that the animal, if left with the owner, is likely to be exposed to further cruelty.

Compensation for damage done by cruelty to an animal.

4. If any person shall, by cruelty within the meaning of this Act to any animal, do or cause to be done, any damage or injury to the animal or any person or property, he shall upon conviction for the cruelty under this Act, be liable upon the application of the person aggrieved to be ordered to pay as compensation to the person who shall sustain damage or injury as aforesaid, such sum not exceeding ten pounds, as the court before whom he is convicted may consider reasonable:

Provided that this section shall not—

(*a*) prevent the taking of any other legal proceedings in respect of any such damage or injury, so that a person be not twice proceeded against in respect of the same claim; nor

(*b*) affect the liability of any person to be proceeded against and punished under this Act for an offence of cruelty within the meaning of this Act.

Compliance by knackers with certain regulations.

5.—(1) Every person who shall carry on, or assist in carrying on, the trade or business of a knacker shall observe and conform to the regulations set out in the First Schedule to this Act, and, if any person, carrying on or assisting in the carrying on of the said trade or business, contravenes or fails to comply with, or causes or procures or permits any contravention or non-compliance with, any such regulation, he shall be liable upon summary conviction to a fine not exceeding ten pounds.

(2) Any constable shall have a right to enter any knacker's yard at any hour by day, or at any hour when business is or apparently is in progress or is usually carried on therein, for the purpose of examining whether there is or has been any contravention of or non-compliance with the provisions of this Act, and, if any person refuses to permit any constable to enter any premises which he is entitled to enter under this section, or obstructs or impedes him in the execution of his duty under this section, he shall, upon summary conviction, be liable to a fine not exceeding five pounds.

(3) For the purposes of section one, which relates to offences of cruelty, of this Act, a knacker shall be deemed to be the owner of any animal delivered to him.

(4) For the purposes of this Act, an animal shall be deemed to have been delivered to a knacker if it has been delivered either to the knacker himself, or to any person on his behalf, or at the knacker's yard.

Persons licensed to slaughter horses not to be horse dealers at same time.

6.—(1) It shall not be lawful for any person who shall be licensed to slaughter horses, during the time while such licence shall be in force, to carry on the trade or business of a dealer in horses.

(2) If any person shall act in contravention of this section, he shall be liable upon summary conviction to a fine not exceeding ten pounds.

Animals in pounds.

7.—(1) Any person who impounds or confines, or causes to be impounded or confined, any animal in any pound shall, while the animal is so impounded or confined, supply it with a sufficient quantity of wholesome and suitable food and water, and, if he fails to do so, he shall be liable upon summary conviction to a fine not exceeding five pounds.

(2) If any animal is impounded or confined in any pound and is without sufficient suitable food or water for six successive hours, or longer, any person may enter the pound for the purpose of supplying the animal therewith.

(3) The reasonable cost of the food and water supplied to any animal impounded or confined in any pound shall be recoverable summarily from the owner of the animal as a civil debt.

Poisoned grain and flesh, &c.

8. If any person—

(*a*) shall sell, or offer or expose for sale, or give away, or cause or procure any person to sell or offer or expose for sale or give away, or knowingly be a party to the sale or offering or exposing for sale or giving away of any grain or seed which has been rendered poisonous except for bonâ fide use in agriculture; or

(*b*) shall knowingly put or place, or cause or procure any person to put or place, or knowingly be a party to the putting or placing, in or upon any land or building any poison, or any fluid or edible matter (not being sown seed or grain) which has been rendered poisonous,

such person shall, upon summary conviction, be liable to a fine not exceeding ten pounds:

Provided that, in any proceedings under paragraph (*b*) of this section, it shall be a defence that the poison was placed by the accused for the purpose of destroying rats, mice, or other small vermin, and that he took all reasonable precautions to prevent access thereto of dogs, cats, fowls, or other domestic animals.

Use of dogs for purposes of draught.

9. If any person shall use, or cause or procure, or being the owner permit, to be used, any dog for the purpose of drawing or helping to draw any cart, carriage, truck, or barrow, on any public highway, he shall be liable upon summary conviction in respect of the first offence to a fine not exceeding two pounds, and in respect of the second or any subsequent offence to a fine not exceeding five pounds.

Inspection of traps.

10. Any person who sets, or causes or procures to be set, any spring trap for the purpose of catching any hare or rabbit, or which is so placed as to be likely to catch any hare or rabbit, shall inspect, or cause some competent person to inspect, the trap at reasonable intervals of time and at least once every day between sunrise and sunset, and, if any person shall fail to comply with the provisions of this section, he shall be liable, upon summary conviction, to a fine not exceeding five pounds.

Injured animals.

11.—(1) If a police constable finds any animal so diseased or so severely injured or in such a physical condition that, in his opinion, having regard to the means available for removing the animal, there is no possibility of removing it without cruelty, he shall, if the owner is absent or refuses to consent to the destruction of the animal, at once summon a duly registered veterinary surgeon, if any such veterinary surgeon resides within a reasonable distance, and, if it appears by the certificate of such veterinary surgeon that the animal is mortally injured, or so severely injured, or so diseased, or in such physical condition, that it is cruel to keep it alive, it shall be lawful for the police constable, without the consent of the owner, to slaughter the animal, or cause or procure it to be slaughtered, with such instruments or appliances, and with such precautions, and in such manner, as to inflict as little suffering as practicable, and, if the slaughter takes place on any public highway, to remove the carcase or cause or procure it to be removed therefrom.

(2) If any veterinary surgeon summoned under this section certifies that the injured animal can without cruelty be removed, it shall be the duty of the person in charge of the animal to cause it forthwith to be removed with as little suffering as possible, and, if that person fail so to do, the police constable may, without the consent of that person, cause the animal forthwith to be so removed.

(3) Any expense which may be reasonably incurred by any constable in carrying out the provisions of this section (including the expenses of any veterinary surgeon summoned by the constable, and whether the animal is slaughtered under this section or not) may be recovered from the owner summarily as a civil debt, and, subject thereto, any such expense shall be defrayed out of the fund from which the expenses of the police are payable in the area in which the animal is found.

(4) For the purposes of this section, the expression "animal" means any horse, mule, ass, bull, sheep, goat, or pig.

Powers of constables.

12.—(1) A police constable may apprehend without warrant any person who he has reason to believe is guilty of an offence under this Act which is punishable by imprisonment without the option of a fine, whether upon his own view thereof or upon the complaint and information of any other person who shall declare his name and place of abode to such constable.

(2) Where a person having charge of a vehicle or animal is apprehended by a police constable for an offence under this Act, it shall be lawful for that or any other constable to take charge of such vehicle or animal, and to deposit the same in some place of safe custody until the termination of the proceedings or until the court shall direct such vehicle or animal to be delivered to the person charged or the owner, and the reasonable costs of such detention, including the reasonable costs of veterinary treatment where such treatment is required, shall, in the event of a conviction in respect of the said animal, be recoverable from the owner summarily as a civil debt, or, where the owner himself is convicted, shall be part of the costs of the case.

Employers and owners to produce drivers or animals if so required.

13.—(1) Where proceedings are instituted under this Act against the driver or conductor of any vehicle, it shall be lawful for the court to issue a summons directed to the employer of the driver or conductor, as the case may be, requiring him, if it is in his power so to do, to produce the driver or conductor at the hearing of the case.

(2) Where proceedings are instituted under this Act, it shall be lawful for the court to issue a summons directed to the owner of the animal requiring him to produce either at, or at any time before, the hearing of the case, as may be stated in the summons, the animal for the inspection of the court, if such production is possible without cruelty.

(3) Where a summons is issued under either of the foregoing subsections of this section, and the owner or employer, as the case may be, fails to comply therewith without satisfactory excuse, he shall be liable upon summary conviction to a fine not exceeding five pounds for the first occasion, and not exceeding ten pounds for the second or any subsequent occasion, on which he so fails, and may be required to pay the costs of any adjournment rendered necessary by his failure.

Appeals.

14.—(1) An appeal shall lie from any conviction or order (other than an order for the destruction of an animal) by a court of summary jurisdiction under this Act to quarter sessions.

(2) Where there is an appeal by the owner of an animal from any conviction or order by a court of summary jurisdiction under this Act, the court may direct that the recognisance required to be entered into under subsection (3) of section thirty-one, which relates to procedure on appeal to general or quarter sessions, of the Summary Jurisdiction Act, 1879, shall include an undertaking not to sell or part with the animal until the appeal is determined or abandoned, and to produce it on the hearing of the appeal if such production is possible without cruelty.

42 & 43 Vict. c. 49.

Definitions.

15. In this Act, except the context otherwise requires, or it is otherwise expressly provided—

(*a*) the expression "animal" means any domestic or captive animal;

(*b*) the expression "domestic animal" means any horse, ass, mule, bull, sheep, pig, goat, dog, cat, or fowl, or any other animal of whatsoever kind or species, and whether a quadruped or not which is tame or which has been or is being sufficiently tamed to serve some purpose for the use of man;

(*c*) the expression "captive animal" means any animal (not being a domestic animal) of whatsoever kind or species, and whether a quadruped or not, including any bird, fish, or reptile, which is in captivity, or confinement, or which is maimed, pinioned, or subjected to any appliance or contrivance for the purpose of hindering or preventing its escape from captivity or confinement;

(*d*) the expression "horse" includes any mare, gelding, pony, foal, colt, filly, or stallion; and the expression "bull" includes any cow, bullock, heifer, calf, steer, or ox, and the expression "sheep" includes any lamb, ewe, or ram; and the expression "pig" includes any boar, hog, or sow; and the expression "goat" includes a kid; and the expression "dog" includes any bitch, sapling, or puppy; and the expression "cat" includes a kitten; and the expression "fowl" includes any cock, hen, chicken, capon, turkey, goose, gander, duck, drake, guinea-fowl, peacock, peahen, swan, or pigeon;

(*e*) the expression "knacker" means a person whose trade or business it is to kill any cattle not killed for the purpose of the flesh being used as butcher's meat, and the expression "knacker's yard" means any building or place used for the purpose, or partly for the purpose, of such trade or business, and the expression "cattle" includes any horse, ass, mule, bull, sheep, goat, or pig;

(*f*) The expression "pound," used in relation to the impounding or confining of animals, includes any receptacle of a like nature.

Extent of Act.

16. This Act shall not apply to Scotland.

Application to Ireland.

17. This Act in its application to Ireland shall be subject to the following modifications, namely:—

14 & 15 Vict. c. 92.

(1)—(*a*) Section twenty-three of the Summary Jurisdiction (Ireland) Act, 1851 (which gives a right of appeal), shall apply as respects any conviction or order under this Act (other than an order for the destruction of an animal), notwithstanding that the fine imposed does not exceed twenty shillings or that the term of imprisonment imposed does not exceed one month;

14 & 15 Vict. c. 93.

(*b*) A reference to section twenty-four of the Petty Sessions (Ireland) Act, 1851, shall be substituted for the reference to subsection (3) of section thirty-one of the Summary Jurisdiction Act, 1879.

(2) Nothing in section eight of this Act shall prevent owners or occupiers of land in Ireland from laying or causing to be laid any poison or poisonous matter as therein described, after a notice has been posted in a conspicuous place, and notice in writing has been given to the nearest constabulary station.

Repeals.

18. Except so far as applying to Scotland, the enactments mentioned in the Second Schedule to this Act are repealed to the extent mentioned in the third column of that schedule.

Commencement, saving for pending proceedings, and short title.

19.—(1) This Act shall come into operation on the first day of January nineteen hundred and twelve.

(2) This Act shall not apply where proceedings have been instituted before the commencement of this Act.

(3) This Act may be cited as the Protection of Animals Act, 1911.

SCHEDULES.

FIRST SCHEDULE.

Section 5.

1. The name of the knacker, together with the word "knacker," shall be painted or affixed in a conspicuous manner over the door or gate of the knacker's yard.

2. The hair shall be cut from the neck of any horse, ass, or mule directly the animal has been delivered to the knacker.

3. All animals shall be slaughtered, with as little suffering as possible, within two days from the time they have been delivered to the knacker. Any animal which is in pain shall be so slaughtered without delay.

4. All animals shall be properly fed and watered after they have been delivered to the knacker.

5. No animal shall be used or employed for any work after it has been delivered to the knacker.

6. The knacker shall enter in a book kept for the purpose such a full and correct description of the colour, marks, and gender of every animal delivered to him as may clearly distinguish and identify the same, and the name and address of the owner thereof, and the book shall be produced by him before any justice of the peace upon the requirement of such justice, and the knacker shall allow such book to be inspected and extracts to be made therefrom at all reasonable times by any police constable or by any other person authorised by a justice of the peace.

7. No person who is under the age of sixteen years shall be admitted to, or permitted to remain in, the knacker's yard during the process of slaughtering or of cutting up the carcase of any animal.

8. No animal shall be killed in the sight of any other animal awaiting slaughter.

9. The knacker shall not sell or part with alive, or cause or procure or permit any person to sell or part with alive, any animal which has been delivered to him.

SECOND SCHEDULE.

Section 18.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
26 Geo. 3. c. 71	The Knackers Act, 1786 - -	Section four.
7 & 8 Vict. c. 87.	The Knackers Act, 1844 - -	Section three.
12 & 13 Vict. c. 92.	The Cruelty to Animals Act, 1849.	The whole Act, so far as not already repealed.
17 & 18 Vict. c. 60.	The Cruelty to Animals Act, 1854.	The whole Act.

Session and Chapter.	Short Title.	Extent of Repeal.
26 & 27 Vict. c. 113.	The Poisoned Grain Prohibition Act, 1863.	The whole Act.
27 & 28 Vict. c. 115.	The Poisoned Flesh Prohibition Act, 1864.	The whole Act.
39 & 40 Vict. c. 13.	The Drugging of Animals Act, 1876.	The whole Act.
63 & 64 Vict. c. 33.	The Wild Animals in Captivity Protection Act, 1900.	The whole Act.
7 Edw. 7. c. 5 -	The Injured Animals Act, 1907	The whole Act.

CHAPTER 28.

An Act to re-enact the Official Secrets Act, 1889, with Amendments. [22nd August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Penalties for spying.

1.—(1) If any person for any purpose prejudicial to the safety or interests of the State—

(*a*) approaches or is in the neighbourhood of, or enters any prohibited place within the meaning of this Act; or

(*b*) makes any sketch, plan, model, or note which is calculated to be or might be or is intended to be directly or indirectly useful to an enemy; or

(*c*) obtains or communicates to any other person any sketch, plan, model, article, or note, or other document or information which is calculated to be or might be or is intended to be directly or indirectly useful to an enemy;

he shall be guilty of felony, and shall be liable to penal servitude for any term not less than three years and not exceeding seven years.

(2) On a prosecution under this section, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the State, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the State; and if any sketch, plan, model, article, note, document, or information relating to or used

in any prohibited place within the meaning of this Act, or anything in such a place, is made, obtained, or communicated by any person other than a person acting under lawful authority, it shall be deemed to have been made, obtained, or communicated for a purpose prejudicial to the safety or interests of the State unless the contrary is proved.

Wrongful communication, &c. of information.

2.—(1) If any person having in his possession or control any sketch, plan, model, article, note, document, or information which relates to or is used in a prohibited place or anything in such a place, or which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under His Majesty or which he has obtained owing to his position as a person who holds or has held office under His Majesty, or as a person who holds or has held a contract made on behalf of his Majesty, or as a person who is or has been employed under a person who holds or has held such an office or contract,—

(*a*) communicates the sketch, plan, model, article, note, document, or information to any person, other than a person to whom he is authorised to communicate it, or a person to whom it is in the interest of the State his duty to communicate it, or

(*b*) retains the sketch, plan, model, article, note, or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it:

that person shall be guilty of a misdemeanour.

(2) If any person receives any sketch, plan, model, article, note, document, or information, knowing, or having reasonable ground to believe, at the time when he receives it, that the sketch, plan, model, article, note, document, or information is communicated to him in contravention of this Act, he shall be guilty of a misdemeanour, unless he proves that the communication to him of the sketch, plan, model, article, note, document, or information was contrary to his desire.

(3) A person guilty of a misdemeanour under this section shall be liable to imprisonment with or without hard labour for a term not exceeding two years, or to a fine, or to both imprisonment and a fine.

Definition of prohibited place.

3. For the purposes of this Act, the expression " prohibited place " means—

(*a*) any work of defence, arsenal, factory, dockyard, camp, ship, telegraph or signal station, or office belonging to His Majesty, and any other place belonging to His Majesty used for the purpose of building, repairing, making, or storing any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto; and

(*b*) any place not belonging to His Majesty where any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto, are being made, repaired, or stored under contract with, or with any person on behalf of, His Majesty, or otherwise on behalf of His Majesty; and

(*c*) any place belonging to His Majesty which is for the time being declared by a Secretary of State to be a prohibited place for the purposes of this section on the ground that information with respect thereto, or damage thereto, would be useful to an enemy; and

(*d*) any railway, road, way, or channel, or other means of communication by land or water (including any works or structures being part thereof or connected therewith), or any place used for gas, water, or electricity works or other works for purposes of a public character, or any place where any ship, arms, or other materials or instruments of use in time of war, or any plans or documents relating thereto, are being made, repaired, or stored otherwise than on behalf of His Majesty, which is for the time being declared by a Secretary of State to be a prohibited place for the purposes of this section, on the ground that information with respect thereto, or the destruction or obstruction thereof, or interference therewith, would be useful to an enemy.

Attempts to commit offence, or incitement to commit offence, under Act.

4. Any person who attempts to commit any offence under this Act, or incites, or counsels, or attempts to procure another person to commit an offence under this Act, shall be guilty of felony or of a misdemeanour according as the offence in question is felony or misdemeanour, and on conviction shall be liable to the same punishment, and to be proceeded against in the same manner, as if he had committed the offence.

Person charged with felony under Act may be convicted of misdemeanour under Act.

5. Any person charged with an offence which is a felony under this Act may, if the circumstances warrant such a finding, be found guilty of an offence which is a misdemeanour under this Act.

Power to arrest.

6. Any person who is found committing an offence under this Act, whether that offence is a felony or not, or who is reasonably suspected of having committed, or having attempted to commit, or being about to commit, such an offence, may be apprehended and detained in the same manner as a person who is found committing a felony.

Penalty for harbouring spies.

7. If any person knowingly harbours any person whom he knows, or has reasonable grounds for supposing, to be a person who is about to commit or who has committed an offence under this Act, or knowingly permits to meet or assemble in any premises in his occupation or under his control any such persons, or if any person having harboured any such person, or permitted to meet or assemble in any premises in his occupation or under his control any such persons, wilfully refuses to disclose to a superintendent of police any information which it is in his power to give in relation to any such person he shall be guilty of a misdemeanour and liable to imprisonment with or without hard labour for a term not exceeding one year, or to a fine, or to both imprisonment and a fine.

Restriction on prosecution.

8. A prosecution for an offence under this Act shall not be instituted except by or with the consent of the Attorney-General:

Provided that a person charged with such an offence may be arrested, or a warrant for his arrest may be issued and executed, and any such person may be remanded in custody or on bail, notwithstanding that the consent of the Attorney-General to the institution of a prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

Search warrants.

9.—(1) If a justice of the peace is satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Act has been or is about to be committed, he may grant a search warrant authorising any constable named therein to enter at any time any premises or place named in the warrant, if necessary, by force, and to search the premises or place and every person found therein, and to seize any sketch, plan, model, article, note, or document, or anything of a like nature or anything which is evidence of an offence under this Act having been or being about to be committed, which he may find on the premises or place or on any such person, and with regard to or in connexion with which he has reasonable ground for suspecting that an offence under this Act has been or is about to be committed.

(2) Where it appears to a superintendent of police that the case is one of great emergency and that in the interest of the State immediate action is necessary, he may by a written order under his hand give to any constable the like authority as may be given by the warrant of a justice under this section.

Extent of Act and place of trial of offence.

10.—(1) This Act shall apply to all acts which are offences under this Act when committed in any part of His Majesty's dominions, or when committed by British officers or subjects elsewhere.

(2) An offence under this Act, if alleged to have been committed out of the United Kingdom, may be inquired of, heard, and determined, in any competent British court in the place where the offence was committed, or in the High Court in England or the Central Criminal Court, and the Criminal Jurisdiction Act, 1802, shall apply in like manner as if the offence were mentioned in that Act, and the Central Criminal Court as well as the High Court possessed the jurisdiction given by that Act to the Court of King's Bench.

42 Geo. 3. c. 85.

(3) An offence under this Act shall not be tried by any court of general or quarter sessions, nor by the sheriff court in

Scotland, nor by any court out of the United Kingdom which has not jurisdiction to try crimes which involve the greatest punishment allowed by law.

50 & 51 Vict. c. 20.

(4) The provisions of the Criminal Law and Procedure (Ireland) Act, 1887, shall not apply to any trial under the provisions of this Act.

Saving for laws of British possessions.

11. If by any law made before or after the passing of this Act by the legislature of any British possession provisions are made which appear to His Majesty to be of the like effect as those contained in this Act, His Majesty may, by Order in Council, suspend the operation within that British possession of this Act, or of any part thereof, so long as that law continues in force there, and no longer, and the Order shall have effect as if it were enacted in this Act:

Provided that the suspension of this Act, or of any part thereof, in any British possession shall not extend to the holder of an office under His Majesty who is not appointed to that office by the Government of that possession.

Interpretation.

12. In this Act, unless the context otherwise requires,—

Any reference to a place belonging to His Majesty includes a place belonging to any department of the Government of the United Kingdom or of any British possessions, whether the place is or is not actually vested in His Majesty;

The expression "Attorney-General" means the Attorney or Solicitor-General for England; and as respects Scotland, means the Lord Advocate; and as respects Ireland, means the Attorney or Solicitor-General for Ireland; and, if the prosecution is instituted in any court out of the United Kingdom, means the person who in that court is Attorney-General, or exercises the like functions as the Attorney-General in England;

Expressions referring to communicating or receiving include any communicating or receiving, whether in whole or in part, and whether the sketch, plan, model, article, note, document, or information itself or the substance, effect, or description thereof only be communicated or received; expressions referring to obtaining or retaining any sketch, plan, model, article, note, or document, include the copying or causing to be copied the whole or any part of any sketch, plan, model, article, note, or document; and expressions referring to the communication of any sketch, plan, model, article, note or document include the transfer or transmission of the sketch, plan, model, article, note or document;

The expression "document" includes part of a document;

The expression "model" includes design, pattern, and specimen;

The expression "sketch" includes any photograph or other mode of representing any place or thing;

The expression "superintendent of police" includes any police officer of a like or superior rank;

The expression "office under His Majesty" includes any office or employment in or under any department of the Government of the United Kingdom, or of any British possession;

The expression "offence under this Act" includes any act, omission, or other thing which is punishable under this Act.

13.—(1) This Act may be cited as the Official Secrets Act, 1911.

Short title and repeal.

(2) The Official Secrets Act, 1889, is hereby repealed.

52 & 53 Vict. c. 52.

CHAPTER 29.

An Act to amend the Parsonages Act, 1838, and the Church Building Act, 1839. [22nd August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Parsonages Act, 1911.

Short title.

2. Purchase moneys paid to the Governors of the Bounty of Queen Anne under section eight of the Parsonages Act, 1838, shall, as from the date of such payment, but subject to the performance by the said Governors of the duty or trust imposed on them by the said Act, be applicable and disposable by the said Governors for the benefit of the particular benefice on account of which the same shall have been received, in such and the same manner and with such and the same powers of investment and other powers and authorities in all respects according to the rules and regulations of the said Governors for the time being, as if the said purchase moneys had been appropriated by the said Governors to such benefice out of the general funds and profits of the said Governors or otherwise for the benefit and augmentation thereof: Provided always that, until the complete execution by the said Governors of the duty or trust imposed on them by the said Act, the interest which shall become payable in respect of such purchase moneys shall be added by them to the principal by way of accumulation, unless the said Governors in their uncontrolled discretion shall think fit to pay the whole or part of such interest to the incumbent of such benefice for his own use and benefit.

Application of purchase moneys paid to Governors of Queen Anne's Bounty under section 8 of 1 & 2 Vict. c. 23.

Powers of Governors of Queen Anne's Bounty to pay off loans in certain cases. 17 Geo. 3. c. 53.

3. In any case in which the purchase moneys paid to the said Governors under the said section shall arise from the sale of property purchased originally, or built or improved either wholly or in part, by means of a loan under the Clergy Residences Repair Act, 1776, or the Acts amending or extending the same, and any principal money shall still remain owing on account of such loan, it shall be lawful for the said Governors, if they think fit, out of the said purchase moneys to pay and discharge the balance of such principal money or any part thereof.

Repeal of section 14 of 2 & 3 Vict. c. 49.

4. Section fourteen of the Church Building Act, 1839, is hereby repealed so far as the same is inconsistent with this Act.

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CHAPTER 30.

An Act to extend the powers of the Public Health (Scotland) Act, 1897. [22nd August 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of Public Health Act to extend to the laying of water mains by statutory water trustees, &c. 60 & 61 Vict. c. 38.

1.—(1) The powers conferred by the Public Health (Scotland) Act, 1897, upon a local authority under that Act, enabling such local authority to carry sewers within their district, may be exercised by any body of trustees or commissioners authorised to supply water by any local Act, within the limits of water supply under such Act, in the same way and subject to the like restrictions in relation to water mains as they may be exercised in relation to sewers under the said first-mentioned Act by the local authority within the district of such authority.

10 & 11 Vict. c. 17.

(2) Nothing herein contained shall be construed as exempting such trustees or commissioners from the provisions of the Water Works Clauses Act, 1847, with respect to the breaking up of streets for the purpose of laying pipes, excepting the provisions of section twenty-nine of that Act, and subject to this exception the said provisions are hereby incorporated with this Act.

(3) In this section the expression "local Act" includes a Provisional Order and the Act confirming such Order.

Short title.

2. This Act may be cited as the Public Health (Scotland) Act (1897) Amendment Act, 1911, and shall be read as one with the Public Health (Scotland) Act, 1897, and shall extend to Scotland only.

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CHAPTER 31.

An Act to amend Section Sixteen of the Merchandise Marks Act, 1887. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to require information in respect of imported goods bearing fraudulent marks. 50 & 51 Vict c. 28.

1.—(1) Where any goods which, if sold, would be liable to forfeiture under the Merchandise Marks Act, 1887, are imported into the United Kingdom, and the goods bear any name or trade mark being or purporting to be the name or trade mark of any manufacturer, dealer, or trader in the United Kingdom, and the Commissioners of Customs and Excise are, upon representations made to them, satisfied that the use of the name or trade mark is fraudulent, the proper officer of Customs and Excise may require the importer of the goods, or his agent, to produce any documents in his possession relating to the goods, and to furnish information as to the name and address of the person by whom the goods were consigned to the United Kingdom and the name and address of the person to whom the goods were sent in the United Kingdom; and, if the importer or his agent fails within fourteen days to comply with any such requirement, he shall, for each offence, forfeit the sum of one hundred pounds.

(2) Any information obtained from the importer of the goods or his agent under this section, or from any other source, may be communicated by the Commissioners to any person whose name or trade mark is alleged to have been used or infringed.

(3) This section shall have effect as if it were part of section sixteen of the Merchandise Marks Act, 1887.

Short title.

2. This Act may be cited as the Merchandise Marks Act, 1911, and the Merchandise Marks Acts, 1887 to 1894, and this Act may be cited together as the Merchandise Marks Acts, 1887 to 1911.

CHAPTER 32.

An Act to make provision for the better administration by the Central and Local Authorities in England and Wales of the Enactments relating to Education. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of Board of Education to make contribution orders in respect of border children.
2 Edw. 7. c. 42.

1.—(1) Where any children resident in the area of any local education authority for the purpose of Part III. of the Education Act, 1902, are receiving education in any public elementary school within the area of some other local education authority, the Board of Education may, if they think fit, on the application of that other local education authority (in this section referred to as the applicant authority), and after giving the first-named local education authority (in this section referred to as the respondent authority) an opportunity of being heard, make a contribution order under this section.

(2) For the purpose of this section, a contribution order means an order directing the respondent authority to pay to the applicant authority annually such sum as the Board think proper in respect of children resident in the area of the respondent authority who, in the opinion of the Board, are properly receiving education in a public elementary school within the area of the applicant authority.

(3) In considering whether children are properly receiving education in a school outside the area in which they reside, the Board of Education shall have regard to the interests of secular instruction, to the wishes of parents as to the education of their children, and to economy of rates.

(4) Any sum due to an applicant authority under a contribution order shall be recoverable as a debt due to that authority from the respondent authority, and the Board of Education may, if they think fit, without prejudice to any other remedy on the part of the applicant authority, pay any such sum to the applicant authority, and deduct any sum so paid from any sums payable to the respondent authority on account of Parliamentary grants.

(5) If any question arises between the applicant and respondent authorities as to the amount due in any year under a contribution order, that question shall be referred to the Board of Education, and the decision of the Board shall be final.

(6) The Board of Education may revoke or vary a contribution order on the application either of the applicant authority or of the respondent authority after giving the other authority an opportunity of being heard. A contribution order shall not be made under this section so as to alter, without the consent of the parties, the effect of any subsisting agreement made between two or more local education authorities before the passing of this Act with respect to contributions in connexion with the education, within the area of one education authority, of children resident within the area of another such authority.

Amendment of s. 22 (2) of Education Act, 1902, as to date at which the limit of age under that

2. For the purposes of subsection (2) of section twenty-two of the Education Act, 1902, the Board of Education may, on the application of the local education authority, by order, substitute, as respects any public elementary school within the area of the authority, the close of the educational year as fixed by the Board for that school for the close of the school year, and, as respects any such school, that subsection shall have effect as if the close of the educational year fixed by the order were substituted for the close of the school year.

subsection is to be reckoned.

3. The provisions of any byelaws made by any local authority under section one hundred and fifty-seven of the Public Health Act, 1875, as amended by any other Act, with respect to new buildings (including provisions as to the giving of notices and deposit of plans and sections), and any provisions in any local Act dealing with the construction of new buildings, and any byelaws made with respect to new buildings under any local Act, shall not apply in the case of any new buildings being school premises to be erected, or erected, according to plans which are under any regulations relating to the payment of grants required to be, and have been, approved by the Board of Education.

Exemption of school buildings from building byelaws where plans approved by Board of Education.
38 & 39 Vict. c. 55.

4. The accounts of the receipts and expenditure of any governing body to whom in pursuance of a scheme made under the Welsh Intermediate Education Act, 1889, any payments are made out of any general fund administered by a local education authority as a governing body under that Act, as well as the accounts of the receipts and expenditure of any local education authority in its capacity as such a governing body, shall be audited in like manner and subject to the same provisions as the accounts of a county council, and the enactments relating to the audit of those accounts and to all matters incidental thereto or consequential thereon (including the penal provisions of those enactments), shall apply accordingly, and any provisions in any scheme which relate to the audit of the accounts of any such governing body shall cease to have effect.

Audit of accounts of governing bodies under 52 & 53 Vict. c. 40.

5. This Act may be cited as the Education (Administrative Provisions) Act, 1911, and shall be construed as one with the Education Acts, 1870 to 1909, and those Acts and this Act may be cited together as the Education Acts, 1870 to 1911.

Short title.

CHAPTER 33.

An Act to amend the Law relating to the Harbours of the Isle of Man. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The Commissioners shall have power, subject to the approval of the Tynwald Court, to provide, maintain, and work ferries from place to place within the limits of any harbour in the Isle of Man, for the carriage of passengers or goods, and to

Power to Commissioners to provide work and maintain ferries.

charge tolls in respect thereof, and to do all things necessary for those purposes, and section nine of the Isle of Man Harbours Act, 1872 (hereinafter referred to as the principal Act), shall have effect as if those powers were included amongst the powers given by that section.

35 & 36 Vict. c. 23.

(2) The purposes for which byelaws may be made under section thirteen of the principal Act shall include the regulation of ferries provided by the Commissioners, and the regulation of the conduct of persons carried thereon.

(3) Nothing in this section contained shall authorise any tolls to be demanded or received by the Commissioners for the conveyance of any person when on duty in the service of the Crown or any Government department, or of any goods for the service or being the property of the Crown or any Government department, or of any postal packets within the meaning of the Post Office Act, 1908.

8 Edw. 7. c. 48.

Application of dues. 37 & 38 Vict. c. 8.

2. Section six of the Isle of Man Harbours Act, 1874, shall have effect as if the purposes to which sums received on account of dues charged under the Isle of Man Harbours Acts, 1872 to 1911, may be applied, included the improvement, maintenance, or repair of the harbours to which those Acts apply, or any of them, as well as, but subject to, the payment of principal and interest due in respect of money borrowed for those purposes.

Power to charge dues on goods shipped as well as on goods landed. 47 & 48 Vict. c. 7.

3. The power to appoint dues to be paid by vessels on goods under section five of the Isle of Man Harbours Act, 1884, shall include a power to appoint dues, not exceeding sixpence per ton, to be paid by a vessel on goods shipped by that vessel in any harbour, or on any quay or pier under the control of the Commissioners, subject, if it is thought fit, to a condition that the dues on goods so shipped are to be paid only so far as they exceed the dues paid by the vessel on previously entering the harbour.

Maximum dues.

4.—(1) The maximum dues chargeable under section three of the Isle of Man Harbours Act, 1874, shall be those set out in the First Schedule to this Act, and the table of maximum dues there set out shall be substituted for that portion of the schedule to the Isle of Man Harbours Act, 1874, which sets out the maximum dues.

(2) This section shall not come into operation until the expiration of six months from the date of the passing of this Act, or, if the Court of Tynwald before the expiration of those six months appoints revised dues under section three of the Isle of Man Harbours Act, 1874, in accordance with the First Schedule to this Act, until the date on which the resolution imposing the revised dues comes into force.

Application of general Acts to Port Erin. 26 & 27 Vict. c. 86.

5.—(1) The Isle of Man Harbours Act, 1863, which makes separate provisions for the harbour of Port Erin, shall cease to have effect, and Port Erin shall be a harbour to which the Isle of Man Harbours Acts, 1872 to 1911, extend.

(2) All moneys in the hands of the Commissioners which have been raised under the provisions of the Isle of Man Harbours Act, 1863, shall be added to the funds of the Commissioners for the maintenance of the harbours generally.

Amendment of provisions enabling duty to be charged on passengers.

6.—(1) The power under section two of the Isle of Man Harbours Act, 1883, to impose a duty on passengers carried for hire is hereby extended so as to include a power to impose, as respects vessels holding a Board of Trade certificate for the conveyance of passengers, a duty on passengers whether carried for hire or not.

(2) One shilling shall be substituted for threepence as the maximum duty on a passenger under proviso (1) to section two of the Isle of Man Harbours Act, 1883, as respects passengers embarked or disembarked at a harbour on Sunday between the hours of eight o'clock in the forenoon and five o'clock in the afternoon.

46 & 47 Vict. c. 9.

Power to Commissioners to remit dues on the hopper barge of the Douglas Corporation.

7. The Commissioners may, if they think fit, accept any smaller amount which they consider reasonable in full discharge of a debt of seven hundred pounds or thereabouts due from the municipal corporation of the borough of Douglas in respect of harbour dues for a hopper barge belonging to the Corporation.

Repeal, construction, and short title.

8.—(1) The Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

(2) This Act shall be construed as one with the principal Act, the Isle of Man Harbours Act, 1874, the Isle of Man Harbours Act, 1883, and the Isle of Man Harbours Act, 1884; and this Act and those Acts may be cited as the Isle of Man Harbours Acts, 1872 to 1911, and this Act may be cited as the Isle of Man Harbours Act, 1911.

SCHEDULES.

FIRST SCHEDULE.

Section 4.

Maximum Dues.

	£	*s.*	*d.*
For every fishing vessel, for each year commencing on the first day of April - - - - - -	2	0	0
or, at the option of the vessel, each time entering a harbour to which this Act applies - - - - per ton	0	0	6

	£	*s.*	*d.*
For any lighter or barge owned by any local authority leaving a harbour to which this Act applies and re-entering such harbour without having entered any other harbour - - - - - - per ton	0	0	0½
For any vessel other than a fishing vessel or a lighter or barge owned and employed as aforesaid entering a harbour to which this Act applies - - - per ton	0	0	6
In addition to the entrance dues, for every vessel (other than a fishing vessel during the period for which an annual due has been paid) laid up or lying in a harbour to which this Act applies longer than three months - - per ton	0	0	6
and upon the expiration of each subsequent period of six months - - - - - - per ton	0	0	6
and for every fishing vessel which has paid such annual sum, after the expiration of the year in respect of which the said due has been paid - - - - per ton	0	0	6
and upon the expiration of each subsequent period of six months - - - - - - per ton	0	0	6

For the purposes of this schedule "local authority" means, within the borough of Douglas, the municipal corporation of such borough, and elsewhere within the Isle of Man, the commissioners of the local government district.

Section 8.

SECOND SCHEDULE.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
26 & 27 Vict. c. 86.	The Isle of Man Harbours Act, 1863.	The whole Act.
37 Vict. c. 8 -	The Isle of Man Harbours Act, 1874.	In section two the words "other than Port Erin." Section eight. The table of maximum dues in the schedule commencing with the word "MAXIMUM" and ending with "months per ton 0 0 6."
46 Vict. c. 9 -	The Isle of Man Harbours Act, 1883.	In section eight, the words "other than Port Erin."

CHAPTER 34.

An Act to amend the Law with respect to the Accounts and Returns of Railway Companies.

[16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Yearly accounts and returns in form in First Schedule to be furnished to Board of Trade.

1.—(1) Every railway company shall annually prepare accounts and returns in accordance with the form set out in the First Schedule to this Act, and shall submit their accounts to their auditors in that form.

(2) The accounts and returns shall be signed by the officer of the company responsible for the correctness of the accounts or returns, or any part thereof, and, in the case of an incorporated railway company, by the chairman or deputy chairman of the directors of the company, and shall be made up for the year ending the thirty-first day of December, or such other day as the Board of Trade may fix in the case of any company or class of companies to meet the special circumstances of that company or class of companies.

(3) Every railway company shall forward six copies of the accounts and returns to the Board of Trade not later than sixty days after the expiration of the year for which the accounts and returns are made up, and, in the case of an incorporated railway company, shall forward a copy of the accounts and returns to any shareholder or debenture holder of the Company who applies for a copy.

(4) If any railway company fails to prepare or forward, in accordance with this section, such accounts and returns as are thereby required, the company shall be liable on summary conviction to a fine not exceeding five pounds for every day during which the default continues.

(5) If any account or return prepared and forwarded under this section is false in any particular to the knowledge of any person who signs the account or return or any part thereof, that person shall be liable on conviction on indictment to imprisonment with or without hard labour for a term not exceeding one year, or to a fine not exceeding one hundred pounds, and on summary conviction to a fine not exceeding fifty pounds.

Filing of certain accounts by Registrar of Companies.

2.—(1) A copy of the accounts numbered 1 (*a*), 1 (*b*), 1 (*c*), 3, and 18 in Part I. of the First Schedule to this Act, as forwarded to the Board of Trade in pursuance of this Act, shall be filed by the Registrar of Companies in England, and, if any part of the railway of a company is situated in Scotland or Ireland, also by the Registrar of Companies in Scotland or Ireland, as the case may be, and for that purpose the Board of Trade shall, on receiving copies of accounts and returns under this Act from a railway company furnish one of those copies to any Registrar by whom accounts are to be filed under this section.

(2) Any person may inspect the accounts filed by any Registrar of Companies in pursuance of this section on paying a fee of one shilling for each inspection as regards each railway company, and any person may require a copy or extract of any of those accounts to be certified by or on behalf of the Registrar on paying for the copy or extract such fee as the Board of Trade may appoint not exceeding sixpence for each folio of a certified copy or extract, or in Scotland for each sheet of two hundred words.

29 & 30 Vict. c. 108.

(3) The provisions of the Railway Companies Securities Act, 1866, requiring half-yearly accounts in connexion with loan capital shall cease to have effect, and in section fourteen of that Act (which relates to the declaration to be made on mortgage deeds and debenture stock certificates) "the officer responsible "for the correctness of the declaration" shall be substituted for "the company's registered officer."

Alteration of First Schedule by Board of Trade.

3.—(1) The Board of Trade may by order, made under this section, alter or add to the First Schedule to this Act in such manner as they think fit; and, on any such alteration or addition being made, this Act shall be construed as if those alterations or additions were made in the First Schedule thereto.

(2) When the Board propose to make any such alteration or addition, they shall publish in the London, Edinburgh, and Dublin Gazettes, notice of the proposal and of the place where copies of the proposed alterations or additions may be obtained, and of the time, not being less than one month, within which any objection or suggestion made with respect to the alterations or additions by or on behalf of persons affected must be lodged with the Board, and shall take such other steps as they think best adapted for giving information with respect to those matters to persons affected.

(3) The Board of Trade shall consider any objection or suggestion made by or on behalf of persons appearing to them to be affected, which is lodged within the required time, and give to any person lodging any such objection or suggestion an opportunity of communicating with the Board on the matter.

(4) Not less than one month and not more than three months after the expiration of the time within which objections must be lodged, notice may be given to the Board of Trade, by or on behalf of railway companies whose aggregate capital is not less than one third of the total aggregate capital of all railway companies in the United Kingdom, that the companies are not satisfied with the mode in which any objection lodged by a railway company has been dealt with, and in that case, unless the notice is withdrawn, the order of the Board shall be provisional only, and shall not take effect unless it is confirmed by Parliament.

(5) The Board of Trade may submit to Parliament a Bill for confirming any order made by them which requires to be so confirmed, and if, while any such Bill is pending in either House of Parliament, a petition is presented against any order comprised therein, the Bill, so far as it relates to the order, shall be referred to a Select Committee, or, if the two Houses of Parliament think fit so to order, to a joint committee of those Houses, and the petitioner shall be allowed to appear and oppose as in the case of Private Bills.

(6) The Board of Trade shall (in addition to the powers given to them under the foregoing provisions of this section) have power on the application of any company, to make as respects that company any special variation in the form of the accounts and returns set out in the First Schedule to this Act which appears to the Board to be required for the purpose of adapting the form to the particular circumstances of that company.

Removal of obligation to prepare half-yearly accounts.

4.—(1) A railway company shall not be under any obligation to prepare or to submit to their shareholders or auditors, statements of accounts or balance sheets, or to hold ordinary general meetings more than once a year, and anything which under any special Act is authorised or required to be done at a general meeting of a railway company to be held at any specified time may be done at the annual general meeting of the company at whatever time held:

Provided that nothing in this provision shall relieve a railway company of any obligation to prepare half-yearly accounts in cases where those accounts are required in connexion with any guarantee of dividend under any such statutory provisions.

(2) The directors of an incorporated railway company may, if it appears to them that the profits of the company are sufficient, declare and pay an interim dividend for the first half of any year, notwithstanding that the accounts are not audited for the half-year, and that a statement of accounts and balance sheet for the half-year is not submitted to the shareholders, and may close their register and books of transfer before the date on which the interim dividend is declared in the same manner and for the same time and subject to the same provisions as they may close their register or books before the date on which their ordinary dividend is declared or before the date of their ordinary meeting.

(3) Any statutory provisions affecting the railway company shall be read with the modifications necessary to bring them into conformity with this section.

Saving for power to call for returns under

5. Nothing in this Act shall affect or limit any obligations imposed upon a railway company or any powers or rights conferred upon the Board of Trade by section nine of the

34 & 35 Vict. c. 78 and 51 & 52 Vict. c. 25.

Regulation of Railways Act, 1871, as amended by section thirty-two of the Railway and Canal Traffic Act, 1888, but the returns required of a railway company by those sections shall only be made at the instance of the Board of Trade and at such times as the Board of Trade may direct.

Definitions and supplemental.

6.—(1) In this Act—

the expression "railway company" means any company or person working a railway under lease or otherwise, and the expression "railway" means a railway authorised by special Act;

the expression "special Act" includes any certificate or order having the force of an Act, and the expression "statutory provisions" includes the provisions of any such certificate or order;

8 Edw. 7. c. 69.

the expression "Registrar of Companies" means the officer performing the duty of the registration of companies under the Companies (Consolidation) Act, 1908, in England, Scotland, or Ireland, as the case may be;

the expression "shareholder" means the holder of any share or part of any stock or other capital of a railway company which is not raised by means of borrowing or has not the character of borrowed money, and the expression "debenture holder" means the holder of any debenture or part of any debenture stock or other capital of a railway company which is raised by means of borrowing or has the character of borrowed money.

(2) Where any light railway company or other railway company are exempted by virtue of any special Act from the operation of sections nine and ten of the Regulation of Railways Act, 1871, as respects their railway or any part of their railway, that company shall, so far as regards that railway or part of the railway, be exempt from the obligation to prepare, submit, and forward accounts and returns under this Act; and the Board of Trade may exempt any company or authority from that obligation if they are satisfied that the business of a railway company is merely subsidiary to the main business carried on by the company or authority, and that the company or authority are under an obligation to prepare their accounts in a form prescribed by the Board of Trade or to present them to Parliament.

(3) Where a railway is being managed or worked by a joint committee or other body representing two or more railway companies and the receipts and expenditure of that railway are separately treated under Abstract J. in the accounts and returns prepared and forwarded by the several companies whom the committee or body represents, the committee or body shall, for the purpose of the provisions of this Act with respect to accounts and returns, be deemed to be a separate railway company.

Repeal, short title, and commencement.

7.—(1) The Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

(2) This Act may be cited as the Railway Companies (Accounts and Returns) Act, 1911, and shall come into operation on the first day of January nineteen hundred and thirteen.

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FIRST SCHEDULE.

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PART II.

STATISTICAL RETURNS.

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(B)—Mileage of Lines authorised but not open for Traffic.
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(A)—Steam Locomotives and Tenders.
(B)—Rail Motor Vehicles.
(C)—Trains worked by Electric Power.
(D)—Coaching Vehicles (other than Electric).
(E)—Merchandise and Mineral Vehicles.
(F)—Railway Service Vehicles, and Horses for Shunting.

III. Horses and Road Vehicles employed in the Collection and Delivery of Parcels, Goods, and Passengers.

IV. Steamboats.

V. Canals.

VI. Docks, Harbours, and Wharves.

VII. Hotels.

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X. Maintenance and Renewal of Ways and Works (Abstract A).

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FORM OF ACCOUNTS AND STATISTICAL RETURNS.

Part I.

Financial Accounts.

(*Nos. 1 to 7, Capital Accounts.*)

No. 1 (*a*).—Nominal Capital authorised, and created by the Company.

Special Acts.	Capital authorised.			Capital created.			Balance.		
	Shares and Stock.	Loans or Debenture Stock.	Total.	Shares and Stock.	Loans or Debenture Stock.	Total.	Shares and Stock.	Loans or Debenture Stock.	Total.
	£	£	£	£	£	£	£	£	£
. Special Acts conferring capital powers which have been fully exercised.									
Totals.									
II. Special Acts conferring capital powers which have not yet been fully exercised.									
[*Each such Act to be stated here separately in order of date.*]									
1.									
2.									
&c.									
Total - - -									

Note.—Where a special Act has been consolidated in a later Act, a reference to the consolidating Act is sufficient.

No. 1 (*b*).—Nominal Capital authorised, and created by the Company jointly with some other Company.

Special Acts.	Capital authorised.			Capital created.			Balance.		
	Shares and Stock.	Loans or Debenture Stock.	Total.	Shares and Stock.	Loans or Debenture Stock.	Total.	Shares and Stock.	Loans or Debenture Stock.	Total.
	£	£	£	£	£	£	£	£	£

No. 1 (*c*).—Nominal Capital authorised, and created by some other Company on which the Company either jointly or separately guarantees fixed Dividends.

Special Acts.	Capital authorised.			Capital created.			Balance.		
	Shares and Stock.	Loans or Debenture Stock.	Total.	Shares and Stock.	Loans or Debenture Stock.	Total.	Shares and Stock.	Loans or Debenture Stock.	Total.
	£	£	£	£	£	£	£	£	£
[*Note.—It should be stated in each case whether the dividend is guaranteed jointly with some other company or companies (the names of which should be given) or separately.*]									

No. 2.—Share Capital and Stock created, as per Statement No. 1 (*a*), showing the proportion issued.

Description.	Amount created.	Amount issued.	Nominal additions to or deductions from Capital.	Amount on which Dividend is payable.	Amount which does not rank for Dividend until a future date.	Calls in arrear.	Amount uncalled.	Amount unissued.
	£	£	£	£	£	£	£	£
[*Each class of shares and stock to be stated in order of date of creation, with the preferential or fixed dividends, if any, to which it is entitled, and any other conditions attached to it.*]								
Total - - -								

Note.—A column to be provided where necessary between "amount created" and "amount issued" to show "additional stock issued to provide authorised money."

No. 3.—CAPITAL RAISED BY LOANS AND DEBENTURE STOCK.

—	Raised by Loans.					Raised by issue of Debenture Stocks.						Total raised by Loans or Debenture Stocks.
								Existing Amount of Stock.				
	At per cent.	At per cent.	At per cent.	At per cent.	Total Loans.	Amount of Stock.	Nominal Additions or Deductions on Conversion.	At per cent.	At per cent.	At per cent.	Total Debenture Stock.	
	£	£	£	£	£	£	£	£	£	£	£	£
Existing at												
Existing at												
Increase												
Decrease												

Total amount authorised to be raised by loans and debenture stocks in respect of capital created as per Statement No. 1 (*a*).		
	£	
Less—Amount created but not yet available - - -		
Reduction of borrowing power in respect of interest paid out of capital.		
Capitalised value of rentcharges, annuities, or feu duties, in accordance with section 5 of the Lands Clauses Consolidation Acts Amendment Act, 1860.		
Other deductions, if any - - - - - -		
Total deductions - -		
Total amount raised by loans and debenture stock as above - -		
Balance being available borrowing powers at - -		

Dr. No. 4.—Receipts and Expenditure

To Expenditure.	Amount expended to ——	Amount expended during Year, as per No. 5.	Total.
	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Lines open for traffic			
Lines not open for traffic :—			
New lines			
Widening of existing lines			
Lines leased			
Lines jointly owned			
Lines jointly leased			
Rolling stock			
Manufacturing and repairing works and plant :—			
Land and buildings			
Plant and machinery			
Total capital expended upon railway			
Horses			
Road vehicles employed in the collection and delivery of parcels, goods, and passengers :—			
1. Goods and parcels road vehicles			
2. Passenger road vehicles			
Steamboats			
Canals			
Docks, harbours, and wharves			
Hotels			
Electric power stations, &c.			
Land, property, &c. not forming part of the railway or stations :—			
(*a*) Used in connexion with railway working.			
(*b*) Not used in connexion with railway working.			
Other industries (to be stated separately)			
Subscriptions to other companies (for details, *see* Table No. 4 (*a*)).			
Special items			
TOTAL EXPENDITURE			
To Balance			
TOTAL			

ON CAPITAL ACCOUNT. *Cr.*

By Receipts.		Amount received to ——	Amount received during Year.	Total.
		£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Shares and Stocks (No. 2) - - - -				
Loans (No. 3) - - - - - -				
Debenture Stock (No. 3) - - - -				
Premiums on Shares and Stocks -	£			
Premiums on Debenture Stock - -				
Total Premiums - - - - -				
Discounts on Shares and Stocks -				
Discounts on Debenture Stock - -				
Total Discounts - - - - -				
Balance of Premiums and Discounts - -				
TOTAL RECEIPTS - - - -				
By Balance - - - - - - - - - -				
TOTAL - - - - - - - - - -				

No. 4 (*a*).—Subscriptions to other Companies.

Name.	Amount.	Nature of Security or Investment.
	£	
(*a*) Railway companies	—	—
(*b*) Other	—	—

No. 5.—Details of Capital Expenditure for Year ending

—	Land and Compensation.	Construction of Way and Stations, Engineering, &c.	Law Charges and Parliamentary Expenses.	Total.
	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Purchase of railways (particulars).				
Lines belonging to the Company open for traffic (particulars).				
Lines belonging to the Company not open for traffic:—				
New lines (particulars)				
Widenings of and additions to existing lines (particulars).				
Lines leased (particulars)				
Lines jointly owned (particulars).				
Lines jointly leased (particulars).				
Rolling stock:—				
Locomotives	(Number and type of each description to be shown in accordance with Rolling Stock Returns.)			
Coaching vehicles				
Wagons				
Service vehicles				
Manufacturing and repairing works and plant (particulars)				
Horses				
Road vehicles employed in the collection and delivery of parcels, goods, and passengers (particulars).				
Steamboats (particulars)				
Canals (particulars)				
Docks, harbours, and wharves (particulars)				
Hotels (particulars)				
Electric power stations, &c. (particulars)				
Land, property, &c., not forming part of the railway or stations:—				
(*a*) Used in connexion with railway working (particulars)				
(*b*) Not used in connexion with railway working (particulars)				
Subscriptions to other companies (particulars)				
(*a*) Railway companies				
(*b*) Other				
Special items (details to be given)				
Total capital expenditure for the year				

No. 6.—ESTIMATE OF FURTHER EXPENDITURE ON CAPITAL ACCOUNT.

Expenditure to date on Principal Works in Progress.	——	Estimated further Expenditure.		
		During the Year ending .	Subsequently until completion.	Total.
£		£	£	£
	Purchase of railways (particulars) -			
	Lines belonging to the Company open for traffic (particulars).			
	Lines belonging to the Company not open for traffic :—			
	New lines (particulars) - -			
	Widenings of and additions to existing lines (particulars).			
	Lines leased (particulars) - -			
	Lines jointly owned (particulars) -			
	Lines jointly leased (particulars) -			
	Rolling stock - - - - -			
	Manufacturing and repairing works and plant.			
	Steamboats - - - - -			
	Canals - - - - - -			
	Docks, harbours, and wharves - -			
	Hotels - - - - - -			
	Electric power stations, &c. - -			
	Subscriptions to other companies -			
	Special items - - - - -			
	Miscellaneous - - - - -			
	Total - - - -			
	Works not yet commenced and in abeyance - - -			

No. 7.—CAPITAL POWERS AND OTHER ASSETS AVAILABLE TO MEET FURTHER EXPENDITURE ON CAPITAL ACCOUNT.

	£	£
Stock, share, and loan capital authorised but not yet created (as per Statement No. 1 (*a*)).		
Stock and share capital created but not yet received (as per Statement No. 2) :—		
Calls in arrear - - - - - - -		
Amount uncalled - - - - - - -		
Amount unissued - - - - - - -		
Loan capital created but not yet available (as per Statement No. 3).		
Available borrowing powers (as per Statement No. 3) -		
Add or Deduct balance at Credit or Debit (as per Capital Account No. 4)		
Total - - - - -		

(*Nos.* 8 *to* 18, *Revenue Accounts.*)

No. 8.—REVENUE RECEIPTS AND EXPENDITURE OF THE WHOLE UNDERTAKING.

See Statement.	———	Gross Receipts.	Expenditure.	Net Receipts.	*Year 19 .*		
					Gross Receipts.	*Expenditure.*	*Net Receipts.*
		£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£	£	£
10	Railway -						
11	Omnibuses and other passenger vehicles not running on the railways.						
12	Steamboats -						
13	Canals - -						
14	Docks, harbours, and wharves.						
15	Hotels, and refreshment rooms and cars where catering is carried on by the company.						
16	Other separate businesses carried on by the company (in detail).						
	Total - £						
Miscellaneous Receipts (Net) :—							
Rents from houses and lands - -							
Rents from hotels - - - -							
Other rents, including lump-sum tolls							
Interest and dividends from investments in other companies (in detail).							
Transfer fees - - - - -							
General interest - - - -							
Special items - - - - -							
Total net income - -							

No. 9.—Proposed Appropriation of Net Income.

—		—	Year 19 .
Balance brought forward from last year's account		£ s. d.	£
Net income (as per Statement No. 8)			
Appropriation from Reserve			
Total			
Deduct—Interest, rentals and other fixed charges (to be stated by each company in order of priority) :—	£ s. d.		
Interest on superannuation and other funds.			
Rentcharges (or feu duties) and annuities.			
Chief rents, wayleaves, &c., including lump-sum tolls.			
Interest on loans			
Interest on debenture stocks (details)			
Rent of and guaranteed interest on leased and worked lines.			
Interest on Lloyd's bonds			
General interest			
Special items (if any)			
Total			
Balance after payment of fixed charges.			
Appropriation to reserve and other special purposes :— (Details)	£ s. d.		
Total			
Dividends on guaranteed and preference stocks :— (Details)			
Total			
Balance available for dividends on ordinary stock :— (Details)	£ s. d.		
Total			

No. 9 (a).—Statement of Interim Dividends paid.

Balance available for dividends, Year 19		£ s. d.	£
Deduct :— Interim dividends paid (particulars)	£ s. d.		
Undivided balance at 31st December, carried to balance sheet.			

Dr. No. 10.—Receipts and Expenditure

To Expenditure.		—	*Year* *19* .	Percentage of Traffic Receipts.	 ......
See Abstracts.		£ *s.* *d.*	£	Per cent.	Per cent.
A: Maintenance and renewal of way and works - - - -					
B: Maintenance and renewal of rolling stock:—	£ *s.* *d.*				
(1): Locomotives - -					
(2): Carriages - -					
(3): Wagons - -					
	£ *s.* *d.*				
C: Locomotive running expenses - -					
D: Traffic expenses - -					
E: General charges - - -					
Law charges - - - -					
Parliamentary expenses - -					
Compensation (accidents and losses):—	£ *s.* *d.*				
Passengers - -					
Workmen - - -					
Damage and loss of goods, property, &c.					
Rates - - - - - -					
Taxes - - - - - -					
Government duty - - -					
G: Running powers (balance, debit or credit) - - - -					
Total traffic expenditure £					
J.: Joint lines* - - - -					
Miscellaneous - - - -					
Total expenditure - £					
Net receipts - - £					
Total - - - £					

Note.—Gross receipts to include the whole of the receipts from traffic
the company's line by trains of other companies and no annual payment is
proportion of traffic receipts accruing to other companies in respect of running
deduction from the company's traffic receipts in this statement, but to be
proportion of the traffic receipts accruing to the company in respect of trains
the traffic receipts in this statement, and entered as receipts in the Running

* Under this heading should be entered only the expenditure or receipts of jointly
the joint committee and are not already embodied in those of the parent companies
revenue and expenditure to be spread over the various heads on the respective sides of

IN RESPECT OF RAILWAY WORKING. *Cr.*

By Gross Receipts.	—	—	*Year* *19* .	Percentage of Traffic Receipts.	
				……	……
See Abstracts.	£ *s.* *d.*	£ *s.* *d.*	£	Per cent.	Per cent.
Passenger train traffic:—					
Ordinary passengers:—					
First class - -					
Second class - -					
Third class - -					
Season tickets:—					
First class - -					
Second class - -					
Third class - -					
Workmen's tickets -					
Total receipts from passengers - - -					
Mails - - -					
Parcels up to 2 cwt., parcels post, and excess luggage -					
Other merchandise by passenger trains -					
F.: Less expenses of collection and delivery -					
Total passenger train receipts - - -					
Goods train traffic:— £ *s.* *d.*					
Merchandise -					
F.: Less expenses of collection and delivery					
Live stock - -					
Coal, coke, and patent fuel - - -					
Other minerals - -					
Total goods train receipts £					
Total traffic receipts - £					
H.: Mileage, demurrage, and wagon hire - - - - -					
J.: Joint lines* - - - -					
Miscellaneous - - - -					
Total - - - £					

carried over the company's lines, except where (*a*) the traffic is carried over made therefor, or where (*b*) the payment made is by way of a fixed rent. The powers exercised by them over the company's lines not to be treated as a entered as a payment in the Running Powers Account (Abstract G). The run by the company over the lines of other companies to be excluded from Powers Account.

owned and jointly leased lines in respect of which the accounts are prepared by or for (*see* Abstract J). In the case of other joint lines, the company's proportion of the this Account.

Abstract A.—Maintenance and Renewal of Way and Works.

——	——	——	*Year 19 .*
Superintendence :—	£ *s.* *d.*	£ *s.* *d.*	£
Salaries - - - - - -			
Office expenses - - - -			
Maintenance of roads, bridges and works :—			
Earthworks - - - - -			
Bridges, tunnels, culverts, retaining walls, and other works.			
Roads and fences - - - -			
Maintenance of permanent way :—			
Renewal of running lines :—			
Wages - - - - - -			
Materials - - - - -			
Engine power and wagon repairs -			
Repair of running lines and sidings :—			
Wages - - - - - -			
Materials - - - - -			
Engine power and wagon repairs -			
Maintenance of signalling - - -			
Maintenance of telegraphs - - -			
Maintenance of stations and buildings :—			
Stations, depôts, and offices - -			
Engine sheds - - - - -			
Carriage sheds - - - - -			
Locomotive workshops - - -			
Carriage workshops - - - -			
Wagon workshops - - - -			
Other buildings - - - -			
Total - - - - - -	£		

Note.—When any sum is transferred to or from a depreciation fund or suspense account, the net sum to be stated.

Abstract B.—Maintenance and Renewal of Rolling Stock.

(1.)—Locomotives.

—	—	—	*Year 19* .
Superintendence:—	£ *s.* *d.*	£ *s.* *d.*	£
Salaries			
Office expenses			
Complete renewals:—			
Wages			
Materials			
Repairs and partial renewals:—			
Wages			
Materials			
Purchase of new locomotives			
Workshop expenses:—			
Repair and renewals of machinery and plant.			
Other expenses			
Total	£		

(2.)—Carriages.

Superintendence:—	£ *s.* *d.*	£ *s.* *d.*	£
Salaries			
Office expenses			
Complete renewals:—			
Wages			
Materials			
Repairs and partial renewals:—			
Wages			
Materials			
Purchase of new carriages			
Workshop expenses:—			
Repairs and renewals of machinery and plant.			
Other expenses			
Total	£		

Note.—When any sum is transferred to or from a depreciation fund or suspense account, the net sum to be stated.

(3.)—Wagons.

—	—	—	Year 19 .
	£ s. d.	£ s. d.	£
Superintendence :—			
Salaries - - - - - -			
Office expenses - - - - -			
Complete renewals :—			
Wages - - - - - -			
Materials - - - - - -			
Repairs and partial renewals :—			
Wages - - - - - -			
Materials - - - - -			
Purchase of new wagons - - -			
Workshop expenses :—			
Repairs and renewals of machinery and plant.			
Other expenses - - - - -			
Total - - - £			

Note.—When any sum is transferred to or from a depreciation fund or suspense account, the net sum to be stated.

Abstract C.—Locomotive Running Expenses.

	£ s. d.	£ s. d.	£
Superintendence :—			
Salaries - - - - - -			
Office expenses - - - - -			
Steam train working :—			
Wages connected with the running of locomotive engines.			
Fuel - - - - - - -			
Water - - - - - - -			
Lubricants - - - - - -			
Other stores, including clothing -			
Miscellaneous - - - - -			
Electric train working :—			
Wages of motormen - - - -			
Electric current - - - -			
Lubricants - - - - -			
Other stores, including clothing -			
Total - - - - £			

Note.—Any other form of power to be shown separately with corresponding details.

Abstract D.—Traffic Expenses.

—	—	—	*Year* *19* .
Salaries and wages :—	£ *s.* *d.*	£ *s.* *d.*	£
Superintendence			
Stationmasters and clerks			
Signalmen and gatemen			
Ticket collectors, policemen, porters, &c.			
Guards			
Fuel, lighting, water, and general stores			
Clothing			
Printing, advertising, stationery, stamps, and tickets			
Wagon covers, &c.			
Expenses of joint stations and junctions			
Cleansing, lubricating, and lighting of vehicles			
Shunting expenses (other than mechanical)			
Working of stationary engines, hoists, cranes, &c.			
Coal, &c. tipping expenses			
Railway Clearing House expenses			
Miscellaneous expenses			
Total			

Abstract E.—General Charges.

—	—	*Year* *19* .
	£ *s.* *d.*	£
Directors' fees voted by shareholders		
Fees paid to and expenses of directors on joint committees not included in Abstract J.		
Auditors and public accountants (fees, clerkage, and expenses)		
Salaries of secretary, general manager, accountant, and clerks		
Office expenses, ditto		
Rating expenses		
Fire insurance		
Superannuation and benevolent funds, pensions, &c.		
*Subscriptions and donations		
Miscellaneous expenses		
Total		

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* Amounts contributed to institutions not directly controlled by the Company, and not for the exclusive benefit of the Company's servants.

Abstract F.—Expenses of Collection and Delivery of Parcels and Goods.

—	—	*Year 19 .*
	£ s. d.	£
Salaries and wages		
Rent, rates, and taxes		
Maintenance of horses		
Maintenance of horse vehicles		
Maintenance of motors		
Amounts paid for hired cartage		
Miscellaneous		
Total		
Amount charged to passenger train traffic		
Amount charged to goods traffic		

Note.—The division of expenditure to be based as far as possible on actual figures.

Abstract G.—Running Powers.

Receipts and Payments in respect of Running Power Expenses.

—	Receipts.*	Payments †	Balance.	*Year 19 .*		
				*Receipts.**	*Payments.†*	*Balance.*
	£	£	£	£	£	£
Passenger train traffic						
Goods train traffic						
Total						

* Receipts are the sums received by a company in respect of trains run by it over the lines of other companies.

† Payments are the sums paid by a company in respect of trains run by other companies over its lines.

ABSTRACT H.—MILEAGE, DEMURRAGE, AND WAGON HIRE.

—	Receipts.	Expenditure.	Balance.	*Year 19 .*		
				Receipts.	*Expenditure.*	*Balance.*
	£ s. d.	£ s. d.	£ s. d.	£	£	£
Mileage and demurrage:—						
Passenger train vehicles.						
Goods train vehicles.						
Hire of:—						
Passenger train vehicles.						
Goods train vehicles.						
Total - -						

ABSTRACT J.—JOINTLY OWNED AND JOINTLY LEASED LINES. RECEIPTS AND EXPENDITURE.

—	Name of Joint Line.		Name of Joint Line.		Name of Joint Line.		Total.		*Year 19 .*
									Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£
Gross receipts:— (Details to follow Statement No. 10).									
Total receipts									
Total receipts, Company's proportion.									
Expenditure:— (Details to follow Statement No. 10).									
Total expenditure									
Total expenditure, Company's proportion.									

NOTE.—In this abstract should be entered only the receipts and expenditure of jointly owned and jointly leased lines in respect of which the accounts are prepared by or for the Joint Committee, and are not embodied under their respective headings in the accounts of the parent companies.

No. 11.—RECEIPTS AND EXPENDITURE IN RESPECT OF OMNIBUSES AND OTHER PASSENGER VEHICLES NOT RUNNING ON THE RAILWAY.

Dr. *Cr.*

To Expenditure.	—	*Year 19 .*	By Gross Receipts.	—	*Year 19 .*
	£ *s. d.*	£		£ *s. d.*	£
Maintenance of horses.			Passengers - -		
Maintenance of horse vehicles.			Hire of vehicles -		
Maintenance of motors.			Miscellaneous -		
Maintenance of buildings.					
Traffic expenses -					
Miscellaneous - -					
Total expenditure					
Balance - -					
Total - -			Total - -		

NOTE.—When any sum is transferred to or from a depreciation fund or suspense account, the net sum to be stated.

No. 12.—RECEIPTS AND EXPENDITURE IN RESPECT OF STEAMBOATS.

Dr. *Cr.*

To Expenditure.	—	*Year 19 .*	By Gross Receipts.	—	*Year 19 .*
	£ *s. d.*	£		£ *s. d.*	£
Salaries and wages -			Passengers - -		
Fuel - - -			Parcels - -		
Stores, lubricants, water, &c.			Mails - - -		
Repairs - - -			Merchandise -		
Harbour fees and light dues.			Live stock - -		
Miscellaneous - -			Miscellaneous -		
Working expenses					
Depreciation and insurance.					
Total expenditure					
Balance - -					
Total - -			Total - -		

No. 13.—Receipts and Expenditure in respect of Canals.

Dr. *Cr.*

To Expenditure.	—	*Year 19 .*	By Gross Receipts.	—	*Year 19 .*
	£ *s.* *d.*	£		£ *s.* *d.*	£
Superintendence -			Tolls - - -		
Wages of toll clerks, lock-keepers, &c.			Freight as carriers		
Maintenance of canal			Canal dock dues -		
Water supply - -			Wharfage and cranage.		
Auxiliary tramway expenses.			Rents (net receipts)		
Traffic expenses as carriers.			Miscellaneous -		
Rates - - -					
Taxes - - -					
Miscellaneous - -					
Total expenditure					
Balance - -					
Total - -			Total - -		

No. 14.—Receipts and Expenditure in respect of Docks, Harbours, and Wharves.

Dr. *Cr.*

To Expenditure.	—	*Year 19 .*	By Gross Receipts.	—	*Year 19 .*
	£ *s.* *d.*	£		£ *s.* *d.*	£
Superintendence -			Harbour dues -		
Maintenance - -			Light dues - -		
Dredging - -			Dock dues :—		
			On ships - -		
Wages not included in above.			On goods - -		
Rates - - -			On passengers -		
Taxes - - -			Wharf and pier dues.		
Miscellaneous -			Cranage and other services.		
			Graving docks -		
Total expenditure			Rents - - -		
Balance - -			Miscellaneous -		
Total - -			Total - -		

Note.—When any sum is transferred to or from a depreciation fund or suspense account, the net sum to be stated.

No. 15.—Receipts and Expenditure in respect of Hotels, and of Refreshment Rooms and Cars where catering is carried on by the Company.

Dr. *Cr.*

To Expenditure.		*Year 19* .	By Gross Receipts.		*Year 19* .
	£ s. *d.*	£		£ s. *d.*	£
Salaries and wages -			Total receipts from hotels and from sale of provisions, &c. in refreshment rooms and cars.		
Provisions, wines, and spirits consumed.					
*Repairs and maintenance of hotels and refreshment rooms, and of fittings, furniture, &c. of refreshment cars.					
Heating and lighting of hotels and refreshment rooms.					
Rents - - -					
Rates in respect of hotels.					
Taxes in respect of hotels.					
Miscellaneous -					
Total expenditure					
Balance - -					
Total - -			Total - -		

Note.—When any sum is transferred to or from a depreciation fund or suspense account, the net sum to be stated.

* To include in the case of hotels and refreshment rooms expenditure on buildings furniture, and plant.

No. 16.—Receipts and Expenditure in respect of other Separate Businesses carried on by the Company.

No. 17.—ELECTRIC POWER AND LIGHT ACCOUNT.

—	—	—	*Year 19 .*	—	—	—	*Year 19*	
	£ s. d.	*£ s. d.*	*£*		*Number of Units.*	*£ s. d.*	*Number of Units.*	*£*
Superintendence : Salaries - -								
Office expenses -								
Total Superintendence.				Current supplied : For traction				
Generation :				,, power -				
Maintenance of buildings.				,, lighting				
Maintenance of plant, machinery, and tools.				To other consumers.				
Maintenance of feeders, cables, and accessories.								
Salaries and wages.								
Fuel, including carriage, &c.								
Oil, waste, water, and stores.								
Special items -								
Total generation.								
Distribution :								
Maintenance of feeders, mains, and apparatus.								
Maintenance of meters, switches, fuses, lamps, &c.								
Salaries and wages.								
Royalties, &c., payable for use of patents.								
Rents payable -								
Rates - - -								
Taxes - - -								
Special charges : (To be enumerated).								
£				Total -				

NOTE.—When any sum is transferred to or from a depreciation fund or suspense account, the net sum to be stated.

Dr. No. 18.—General Balance Sheet. *Cr.*

—	—	*Year 19 .*
	£ *s. d.*	£
To capital account, balance at credit thereof, as per Account No. 4.		
Amount due to bankers.		
Temporary loans and calls paid in advance.		
Lloyd's bonds		
Unpaid interest and dividends.		
Interest and dividends payable or accruing and provided for.		
Amount due to railway companies and committees.		
Amount due to railway clearing houses.		
Savings bank		
Superannuation and other provident funds.		
Accounts payable		
Liabilities accrued		
Miscellaneous accounts.		
Special items (to be detailed).		
Fire insurance fund.		
Depreciation funds:—		
Railway		
Steamboats (including insurance fund).		
Other businesses.		
General reserve fund. £ *s. d.*		
Balance available for dividends and reserve as per Account No. 9.		
Less interim dividends paid as per Statement No. 9 (*a*).		

—	—	*Year 19 .*
	£ *s. d.*	£
By capital account, balance at debit thereof as per Account No. 4.		
£ *s. d.*		
Cash at bankers and in hand.		
Cash on deposit at interest.		
Investments in Consols and Government securities.		
Investments in stocks and shares held by the Company, not charged as capital expenditure.		
Investment of superannuation and other provident funds.		
Stock of stores and materials.		
Outstanding traffic accounts.		
Amount due by railway companies and committees.		
Amount due by railway clearing houses.		
Amount due by Postmaster-General.		
Accounts receivable.		
Miscellaneous accounts.		
Suspense accounts (if any) to be enumerated.		
Special items (to be detailed).		

PART II.

STATISTICAL RETURNS.

I.—MILEAGE OF LINES.

(A.)—MILEAGE OF LINES OPEN FOR TRAFFIC.

—	Running Lines.						Sidings reduced to Single Track.	Total of Single Track, including Sidings.	*Year 19 .*
	Length of Road. First Track.	Second Track.	Third Track.	Fourth Track.	Over Four Tracks (reduced to Single Track).	Total Miles (reduced to Single Track).			*Total of Single Track, including Sidings.*
	M. Ch.	M. Ch.	M. Ch.	M. Ch.	M. Ch.	M. Ch.	M. Ch.	M. Ch.	*M. Ch.*
Lines owned by Company: Main and principal lines:— (Details) -									
Total of main and principal lines.									
Minor and branch lines (summarised by districts):— (Details) -									
Total -									
Lines jointly owned (Company's share of ownership): As enumerated in Abstract J.:— (Details) -									
Total -									
Other joint lines									
Total lines jointly owned.									
Total miles of lines owned and Company's share of lines jointly owned.									
Ditto ditto year 19 .									

(A.)—Mileage of Lines Open for Traffic—*continued.*

—	Running Lines.						Sidings reduced to Single Track.	Total of Single Track, including Sidings.	*Year 19 .*
	Length of Road. First Track.	Second Track.	Third Track.	Fourth Track.	Over Four Tracks (reduced to Single Track).	Total Miles (reduced to Single Track).			*Total of Single Track, including Sidings.*
	M. Ch.	M. Ch.	M. Ch.	M. Ch.	M. Ch.	M. Ch.	M. Ch.	M. Ch.	*M. Ch.*
Lines leased or worked :									
By the Company :—									
(Details) -									
Total -									
Jointly with other Companies (Company's share) :									
As enumerated in Abstract J. :—									
(Details) -									
Total -									
Other jointly leased or worked lines.									
Total miles of lines leased or worked and Company's share of lines jointly leased or worked.									
Grand Total									
Ditto ditto year 19 .									

(B.)—MILEAGE OF LINES AUTHORISED BUT NOT OPEN FOR TRAFFIC.

——	Miles authorised.	Miles constructed and not open for traffic.		Miles under Construction.	Miles not commenced, or in abeyance.
	Length of Road.	Length of Road.	Length (including Sidings) reduced to Single Track.	Length of Road.	Length of Road.
LINES OWNED BY THE COMPANY:— New lines: (Details) - - -	M. CH.	M. CH.	M. CH.	M. CH.	M. CH.
Total - - -					
Ditto, year 19 -					
Widenings and additions: (Details) - - -					
Total - - -					
Ditto, year 19 -					
JOINT LINES (COMPANY'S SHARE OF OWNERSHIP):— New lines - - -					
Ditto, year 19 -					
Widenings and additions					
Ditto, year 19 -					

(C.)—MILEAGE OF LINES RUN OVER BY THE COMPANY'S ENGINES.

——	M. CH.	*Year 19 . M. Ch.*
Lines owned by the company - - - -		
,, partly owned - - - - - -		
,, leased, or worked by the company - - -		
,, leased, or worked jointly - - - -		
,, over which the company exercises running powers - - - - - - -		
Total - - - - - -		

II.—Rolling Stock.

(A.)—Steam Locomotives and Tenders.

—	—	*Year 19 .*
Description.	Number.	*Number.*
Tender engines :— (Wheel types to be stated) - - - -		
Tank engines :— (Wheel types to be stated) - - - -		
Tenders - - - - - - - -		

(B.)—Rail Motor Vehicles.

—	—	—	*Year 19 .*	
—	Number.	Carrying Capacity.	*Number.*	*Carrying Capacity.*
		Seats.		*Seats.*
Steam power - - -				
Petrol power - - -				
Other power (self-contained)				
Total - -				

(C.)—Trains worked by Electric Power.

—	—	—	*Year 19*	
—	Number	Carrying Capacity.	*Number.*	*Carrying Capacity.*
Details to be filled in, as instructed by the Board of Trade from time to time, by individual companies with regard to the various systems in use -		Seats.		*Seats.*

(D.)—Coaching Vehicles (other than Electric).

———		Seats or Berths.				*Year 19 .*	
	Number	1st Class.	2nd Class.	3rd Class.	Total.	*Number.*	*Seats or Berths, Total.*
Passenger Carriages.							
Carriages of uniform class							
Composite carriages -							
Restaurant cars - -							
Miscellaneous - - -							
Total - -							
Sleeping - - - -							
Total passenger carriages							
Other Coaching Vehicles.							
Post Office vans - -							
Luggage, parcel and brake vans - - - - -							
Carriage trucks - -							
Horse boxes - - -							
Miscellaneous - - -							
Total other coaching vehicles - - -							
Total coaching vehicles -							

(E.)—Merchandise and Mineral Vehicles.

———	—	*Year 19 .*
	Number.	*Number.*
Open wagons:		
Under 8 tons - - - - - - - -		
8 and up to 12 tons - - - - -		
Over 12 and up to 20 tons - - - -		
Over 20 tons (other than special) - - -		
Covered wagons:		
Under 8 tons - - - - - - - -		
8 and up to 12 tons - - - - -		
Over 12 and up to 20 tons - - - -		
Over 20 tons - - - - - - - -		
Mineral wagons (to be shown by companies owning separate mineral stock):		
Under 8 tons - - - - - - - -		
8 and up to 12 tons - - - - -		
Over 12 and up to 20 tons - - - -		
Over 20 tons - - - - - - - -		
Special wagons (for loads of exceptional dimensions and weight) - - - - - -		
Cattle trucks - - - - - - -		
Rail and timber trucks (including twin trucks) -		
Brake vans - - - - - - -		
Miscellaneous - - - - - -		
Total - - -		

(F.)—RAILWAY SERVICE VEHICLES, AND HORSES FOR SHUNTING.

——	Number.	*Year 19 .* *Number.*
Gasholder trucks - - - - - - -		
Locomotive coal wagons - - - - -		
Ballast wagons - - - - - - -		
Mess and tool vans - - - - - -		
Breakdown cranes - - - - - - -		
Travelling cranes - - - - - - -		
Miscellaneous - - - - - - -		
Total - - - - -		
Horses for Shunting - - - - - -		

III.—HORSES AND ROAD VEHICLES EMPLOYED IN THE COLLECTION AND DELIVERY OF PARCELS, GOODS, AND PASSENGERS.

——	Number.	*Year 19 .* *Number.*
GOODS AND PARCELS ROAD VEHICLES—		
Road motors for goods and parcels - - -		
Horse wagons and carts - - - - -		
Miscellaneous - - - - - - -		
Total - - - - -		
PASSENGER ROAD VEHICLES—		
Road motors - - - - - - -		
Tramcars - - - - - - -		
Omnibuses - - - - - - -		
Cabs - - - - - - - -		
Miscellaneous - - - - - - -		
Total - - - - -		
HORSES FOR ROAD VEHICLES - - - -		

IV.—STEAMBOATS.

—	Date of Construction.	Indicated Horse-Power.	Registered Tonnage.
Steamboats over 250 tons net - (Name of each to be given.)			Tons.
Total - - - - *Do. Year 19* -	Number.		
	Number.	Total Horse-Power.	Total Registered Tonnage.
Steamboats of 250 tons net and under - - - - -			
Grand Total - - *Do.* *Year 19* -			

V.—CANALS.

Name.	Length in Miles.
Total Length - -	

VI.—DOCKS, HARBOURS, AND WHARVES.

Name.	Length of Quay.

VII.—HOTELS.

Name.	Situation.

VIII.—LAND, PROPERTY, &C., NOT FORMING PART OF THE RAILWAY OR STATIONS.

Land.	Acreage.	*Year 19 .* *Acreage.*
Agricultural land		
Urban and suburban land		

Houses.	Number.	*Year 19 .* *Number.*
Labouring class dwellings		
Houses and cottages for companies' servants		
Other houses and cottages		

IX.—OTHER INDUSTRIES (IF ANY).

[THE FORM TO BE IN THE DISCRETION OF THE COMPANY.]

X.—MAINTENANCE AND RENEWAL OF WAY AND WORKS (ABSTRACT A).

——	——	*Year 19 .*
Quantities of principal materials used :—		
Ballast	Yards	*Yards*
Fencing	Miles	*Miles*
Rails	Tons	*Tons*
Sleepers	No.	*No.*
Miles maintained :—		
Miles of road	No.	*No.*
Miles of road reduced to single track—		
(*a*) Running lines	No.	*No.*
(*b*) Sidings	No.	*No.*
Miles of track renewed	No.	*No.*

XI.—MAINTENANCE AND RENEWAL OF ROLLING STOCK (ABSTRACT B).

—		In Company's Work-shops.	By Contract.	Total.	*Year 19 .* *Total.*
Locomotives renewed	Number				
Locomotives repaired:					
Heavy repairs	,,				
Light ,,	,,				
Locomotives under or awaiting repair at end of year.*	,,				
Rail motor and electric:					
Train vehicles, &c., renewed.	,,				
Train vehicles, &c., repaired:					
Heavy repairs	,,				
Light ,,	,,				
Train vehicles, &c., under or awaiting repair at end of year.*	,,				
Coaching vehicles:					
(*a*) Carriages renewed	,,				
Carriages repaired:					
Heavy repairs	,,				
Light ,,	,,				
Carriages under or awaiting repair at end of year.*	,,				
(*b*) Others renewed	,,				
Others repaired:					
Heavy repairs	,,				
Light ,,	,,				
Others under or awaiting repair at end of year.*	,,				
Wagons renewed	,,				
Wagons repaired:					
Heavy repairs	,,				
Light ,,	,,				
Wagons under or awaiting repair at end of year.*	,,				

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* Total only to be shown.

XII.—Engine Mileage.

											Year 19 .									
—	Train Miles. (Loaded Trains.)			Train Miles. (Including Empty Trains run for Traffic Purposes on either the Forward or Return Journey.)			Shunting Miles.		Other Miles. (Assisting, Light, &c.)	Total Engine Miles.	*Train Miles. (Loaded Trains.)*			*Train Miles (Including Empty Trains run for Traffic Purposes on either the Forward or Return Journey.)*			*Shunting Miles.*		*Other Miles. (Assisting, Light, &c.)*	*Total Engine Miles.*
	Coaching.	Goods.	Total.	Coaching.	Goods.	Total.	Coaching.	Goods.			*Coaching.*	*Goods.*	*Total.*	*Coaching.*	*Goods.*	*Total.*	*Coaching.*	*Goods.*		
A Miles run in relation to the Company's Traffic Receipts—																				
Over the company's system by the company's engines*																				
Over the company's system by other companies' engines†																				
Add company's proportion (according to ownership) of miles run on joint account over joint lines not included in Abstract J.																				
Total - - - - - -																				
B Miles run in relation to the Company's Expenditure—																				
By the company's engines over lines owned, leased, or worked by the company.																				
By the company's engines over other companies' lines																				
Add company's proportion (according to ownership) of miles run on joint account over joint lines not included in Abstract J.																				
Total - - - - - -																				
C Miles run by the Company's Engines																				
Over lines owned, leased, or worked by the company -																				
Over all joint lines - - - - - - - -																				
Over other companies' lines - - - - - -																				
Total - - - - - -																				

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* To include miles run by the company's engines over joint lines or other companies' lines in cases where no toll is paid or where the payment made is not based upon a proportion of the gross receipts.

† To exclude miles run by such companies in cases where no toll is received and where the payment received for the use of the line is not based upon a proportion of the gross receipts.

Note.—Miles run by (1) Steam tender and tank engines; (2) Electric traction; (3) Steam, petrol, &c rail motors to be given in a supplementary statement as regards the various heads in C.

XIII.—PASSENGER TRAFFIC AND RECEIPTS.

Class of Passenger.	Number.	Receipts.	Average Fare per Passenger.	Number originating on the Company's System.	*Year 19 .*			
					Number.	*Receipts.*	*Average Fare per Passenger.*	*Number originating on the Company's System.*
Ordinary :		£	*d.*			£	*d.*	
1st Class - -								
2nd ,, - -								
3rd ,, - -								
Workmen* - -								
Total - -								
Season : †								
1st Class - -								
2nd ,, - -								
3rd ,, - -								

* To be calculated on a single journey basis.
† To be calculated on an annual basis.

NOTE.—Receipts in column 2 to be the receipts from passengers as given in Account No. 10; the number of passengers in column 1 to be the number corresponding thereto.

XIV.—GOODS TRAFFIC AND RECEIPTS.

—	Tonnage.	Receipts.	Average Receipt per Ton.	Tonnage originating on the Company's System.	*Year 19 .*			
					Tonnage.	*Receipts.*	*Average Receipt per Ton.*	*Tonnage originating on the Company's System.*
	Tons.	£	*d.*	Tons.	*Tons.*	£	*d.*	*Tons.*
Merchandise - -								
Coal, coke, and patent fuel.								
Other minerals - -								
Total - -								
	Number.			Number originating on the Company's System.	*Number.*			*Number originating on the Company's System.*
Live stock - -								

NOTE.—Receipts in column 2 to be the goods train receipts as given in Account No. 10; the tonnage in column 1 to be the tonnage corresponding thereto.

XV. (A).—TONNAGE OF THE PRINCIPAL CLASSES OF MINERALS AND MERCHANDISE CARRIED BY GOODS TRAINS.

[The Tonnage of the principal Articles of Traffic originating on each Railway Company's System to be separately stated; the principal articles of traffic to be agreed in the case of each Company with the Board of Trade. Consignments of less than two tons may be omitted, but in that case the fact that they are omitted must be stated.]

XV. (B).—NUMBER OF LIVE STOCK CARRIED BY GOODS TRAINS.

——	Number.	*Year 19 .*
		Number.
Horses		
Cattle		
Calves		
Sheep		
Pigs		
Miscellaneous		
Total		

XVI.—SUMMARY OF FINANCIAL RESULTS SECURED IN COMPARISON WITH THOSE FOR PAST YEARS.

Note.—Not to be made retrospective, but to be extended year by year until 10 years are given.

——	19 .	19 .	19 .	19 .
	£	£	£	£
Total expenditure on capital account (No. 4)				
Gross receipts from businesses carried on by the company (No. 8).				
Revenue expenditure on ditto (No. 8)				
Net receipts of ditto (No. 8)				
Miscellaneous receipts net (No. 8)				
Total net income (No. 8)				
Interest, rentals, and other fixed charges (No. 9).				
Dividends on guaranteed and preference stocks (No. 9).				
Balance after payment of preference dividends (No. 9).				
Dividend on ordinary stock (No. 9)				
Rate per cent.	%	%	%	%
Surplus or deficit				
Appropriation to or from reserve				
Brought forward from previous years				
Carried forward to subsequent years				

(Signed)____________________*Accountant of the Company.*

CERTIFICATES OF THE RESPONSIBLE OFFICERS AS TO THE UPKEEP OF THE WHOLE OF THE COMPANIES' PROPERTY.

(Signed for the Board of Directors)

Chairman or Deputy Chairman of the Company.

Secretary of the Company.

AUDITOR'S CERTIFICATE.

As prescribed by Act 30 & 31 *Victoria, Cap.* 127, *to follow, substituting Yearly for Half-Yearly Accounts.*

INDEX.

MAP.

NOTE.—This should be explanatory of the Railway System.

Section 7.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
29 & 30 Vict. c. 108.	The Railway Companies Securities Act, 1866.	Sections three to thirteen; the words "registered" and "account or statement" in section sixteen, the words "account, statement or" in sections eighteen and nineteen; the First Schedule; the word "registered" (wherever it occurs); and the words "there stated as" and "and registered officer" and the first paragraph of the note in the Second Schedule.
31 & 32 Vict. c. 119.	The Regulation of Railways Act, 1868.	Sections three, four, and five.

CHAPTER 35.

An Act to enable Women to be elected and act as Members of County and Borough Councils in Ireland.
[16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Women to be eligible as county or borough councillors or aldermen in Ireland.

1.—(1) A woman shall not be disqualified by sex or marriage for being elected or chosen or being a councillor of the council of any county or borough or an alderman of the council of any borough:

Provided that a woman, if elected or chosen as chairman of a county council or mayor of a borough, shall not, by virtue of holding or having held that office, be a justice of the peace.

(2) Subsection (1) and the words "other than a borough" in subsection (2) of Article 12 of the schedule to the Local Government (Application of Enactments) Order, 1898, are hereby repealed.

Short title.

2. This Act shall apply to Ireland only and may be cited as the Local Authorities (Ireland) (Qualification of Women) Act, 1911.

CHAPTER 36.

An Act to extend the Pacific Cable Act, 1901.

[16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision for construction of new works agreed to by contributing Governments.

1.—(1) The Pacific Cable Board may, with the approval of the Treasury, apply out of their reserve fund such sums as may be required for the purpose of any works authorised under this Act:

Provided that the sums standing to the credit of that reserve fund are not at any time thereby reduced below the sum of one hundred thousand pounds; and that the Pacific Cable Board shall pay to the reserve fund as part of the annual expenses of the Pacific cable in each year, in accordance with regulations approved by the Treasury, such sums as may be sufficient to repay any moneys so applied in thirty-five years, with interest at the rate of three and a half per cent. per annum.

1 Edw. 7. c. 31.

(2) Sections three to seven of the Pacific Cable Act, 1901, shall be read as if references to the Pacific cable included references to any works authorised under this Act, and as if references to the payment of annuities created under that Act included references to payments to the reserve fund required under this Act.

Interpretation.

2.—(1) The works authorised under this Act are a submarine cable between Australia and New Zealand, as already sanctioned by the contributing Governments, and any other extensions, connections, or rearrangements in or near the Pacific Ocean which, in the opinion of all the contributing Governments, are necessary or expedient for the improvement of the Pacific Cable Board's undertaking.

(2) The reserve fund means in this Act the reserve fund established under the authority of the Treasury by the Pacific Cable Board.

(3) The contributing Governments mean in this Act the Governments represented on the Pacific Cable Board, namely, His Majesty's Government, the Government of Canada, the Government of the Commonwealth of Australia, and the Government of New Zealand.

Short title

3. This Act may be cited as the Pacific Cable Act, 1911.

CHAPTER 37.

An Act to amend the Conveyancing and Law of Property Act, 1881. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Discharge of incumbrances by the court.

1. On any application under section five of the Act of 1881 the court may, if it thinks fit, as respects any purchaser or vendor, dispense with the service of any notice which is, by section sixty-nine of that Act, required to be served on the purchaser or vendor.

Benefit of condition already broken to run with reversion.

2.—(1) Section ten of the Act of 1881 shall apply to the benefit of every condition of re-entry or forfeiture for a breach of any covenant or condition contained in a lease, so as to enable the same to be enforced and taken advantage of by the person from time to time entitled, subject to the term, to the income of the whole or any part, as the case may require, of the land leased, although that person became, by conveyance or otherwise, so entitled after the condition of re-entry or forfeiture had become enforceable, provided that he became so entitled as aforesaid after the commencement of this Act.

(2) This section shall not render enforceable any condition of re-entry or other condition waived or released before the person became entitled as aforesaid.

Powers (with a view to the grant of an authorised lease) for mortgagor and mortgagee in possession to accept surrenders of leases.

3.—(1) For the purpose only of enabling a lease, authorised under section eighteen of the Act of 1881, as varied by this section, or under any agreement made pursuant to section eighteen aforesaid, or by the mortgage deed (in this section referred to as an authorised lease) to be granted, a mortgagor of land while in possession shall, in like manner as if the legal estate were vested in him and as against every incumbrancer, have, by virtue of this Act, power to accept from time to time a surrender of any lease of the mortgaged land or any part thereof comprised in the lease, with or without an exception of all or any of the mines and minerals therein, or in respect of mines and minerals, or any of them, and, on a surrender of part only of the land or mines and minerals leased, the rent may be apportioned.

(2) For the same purpose, a mortgagee of land while in possession shall, in like manner, and as against all prior or other incumbrancers, if any, and as against the mortgagor, have, by virtue of this Act, power to accept from time to time any such surrender as aforesaid.

(3) On a surrender of part only of the land or mines and minerals leased, the original lease may be varied, provided that the lease when varied would have been valid as an authorised lease if granted by the person accepting the surrender; and, on

a surrender and the making of a new or other lease, whether for the same or for any extended or other term, and whether subject or not to the same or to any other covenants, provisions, or conditions, the value of the lessee's interest in the lease surrendered may, subject to the provisions of this section, be taken into account in the determination of the amount of the rent to be reserved, and of the nature of the covenants, provisions, and conditions to be inserted in the new or other lease.

(4) Nothing in this section shall, where any consideration (except an agreement to accept an authorised lease) for the surrender is given by or on behalf of the lessee to or on behalf of the person accepting the surrender, authorise a surrender to a mortgagor without the consent of the incumbrancers, or authorise a surrender to a second or subsequent incumbrancer without the consent of any prior incumbrancer.

(5) No surrender shall, by virtue of this section, be rendered valid unless :—

(*a*) An authorised lease is granted of the whole of the land or mines and minerals comprised in the surrender to take effect in possession immediately or within one month after the date of the surrender ; and

(*b*) The term certain or interest granted by the new lease is not less in duration than the unexpired term or interest which would have been subsisting under the original lease if that lease had not been surrendered ; and

(*c*) Where the whole of the land mines and minerals originally leased has been surrendered, the rent reserved by the new lease is not less than the rent which would have been payable under the original lease if it had not been surrendered ; or where part only of the land or mines and minerals has been surrendered, the aggregate rents respectively remaining payable or reserved under the original lease and new lease are not less than the rent which would have been payable under the original lease if no partial surrender had been accepted.

(6) A contract to make or accept a surrender under this section may be enforced by or against every person on whom the surrender, if completed, would be binding.

(7) Subsections (13) (16) and (17) of section eighteen of the Act of 1881 shall have effect as if they were re-enacted in this section and references to the commencement of that Act shall, for the purposes of this section, be read as references to the commencement of this Act.

(8) Nothing in this section shall prevent the mortgage deed from reserving to or conferring on the mortgagor or mortgagee, or both, any further or other powers relating to the surrender of leases ; and any further or other powers so conferred or reserved shall be exerciseable, as far as may be, as if they were conferred by this Act, and with the like results, unless a contrary intention is expressed in the mortgage deed.

(9) Nothing in this section shall operate to enable a mortgagor or mortgagee to accept a surrender which could not have been accepted by the mortgagor, with the concurrence of all the incumbrancers, if this Act had not been passed.

(10) For the purposes of this section, and of subsection (1) of section eighteen of the Act of 1881, the expression "mortgagor" does not include an incumbrancer deriving title under the original mortgagor.

(11) The powers of leasing and of accepting surrenders respectively conferred by section eighteen of the Act of 1881, and this section, shall, after a receiver of the income of the mortgaged property or any part thereof has been appointed by a mortgagee, under that Act, and so long as the receiver acts, be exerciseable by such mortgagee instead of by the mortgagor, as respects any land affected by the receivership, in like manner as if such mortgagee were in possession of the land.

Powers incident to estate or interest of mortgagees.

4.—(1) The power of sale conferred on a mortgagee by section nineteen of the Act of 1881 shall include the following powers as incident thereto (namely):—

(i) A power to impose or reserve or make binding, as far as the law permits, by covenant, condition, or otherwise, on the unsold part of the mortgaged property or any part thereof, or on the purchaser and any property sold, any restriction or reservation with respect to building on or other user of land, or with respect to mines and minerals, or for the purpose of the more beneficial working thereof, or with respect to any other thing:

(ii) A power to sell the mortgaged property, or any part thereof, or any mines and minerals apart from the surface:—

(*a*) With or without a grant or reservation of rights of way, rights of water, easements, rights, and privileges for or connected with building or other purposes in relation to the property remaining in mortgage or any part thereof, or to any property sold;

(*b*) With or without an exception or reservation of all or any of the mines and minerals in or under the mortgaged property, and with or without a grant or reservation of powers of working, wayleaves, or rights of way, rights of water and drainage and other powers, easements, rights, and privileges for or connected with mining purposes in relation to the property remaining unsold or any part thereof, or to any property sold;

(*c*) With or without covenants by the purchaser to expend money on the land sold.

(2) Subsections (2) and (3) of section nineteen of the Act of 1881 shall apply to the foregoing powers conferred by this section.

(3) This section applies only where the mortgage deed is executed after the commencement of this Act.

(4) For the purpose of exercising any power conferred by this section, an application under section forty-four of the Trustee Act, 1893, as amended by section three of the Trustee Act, 1894, shall not be required.

56 & 57 Vict. c. 55.
57 Vict. c. 10.

Amendments of section 21 of the Act of 1881.

5.—(1) Upon any sale made in professed exercise of the power conferred on mortgagees by the Act of 1881, a purchaser is not, and never has been, either before or on conveyance, concerned to see or inquire whether a case has arisen to authorise the sale, or due notice has been given, or the power is otherwise properly and regularly exercised.

(2) Subsection (6) of section twenty-one of the Act of 1881 shall, as regards mortgages executed after the commencement of this Act, be read as if the words "or of any power or provision contained in the mortgage deed" were added at the end thereof.

Remedies for recovery of annual sums charged on land.

6.—(1) For removing doubts, it is hereby declared that the rule of law relating to perpetuities does not apply to any powers or remedies conferred by section forty-four of the Act of 1881, nor to the same or like powers or remedies conferred by any instrument for recovering or compelling the payment of any annual sum within the meaning of that section.

(2) The powers and remedies conferred by the last-mentioned section are exerciseable whether the annual sum is created under a power contained in an instrument coming into operation before or after the commencement of the Act of 1881, and take effect unless the instrument creating the power or under which the annual sum is created otherwise directs.

(3) This section applies to powers and remedies conferred by or implied in an instrument executed before as well as after the commencement of this Act.

Power for court to bind interest of married woman.

7.—(1) Where a married woman is restrained from anticipation or from alienation in respect of any property or any interest in property belonging to her, or is by law unable to dispose of or bind such property or her interest therein, including a reversionary interest arising under her marriage settlement, the court may, if it thinks fit, where it appears to the court to be for her benefit, by judgment or order, with her consent, bind her interest in such property.

(2) This section applies only to judgments or orders made after the commencement of this Act.

(3) Section thirty-nine of the Act of 1881 is hereby repealed.

Survivorship of trusts and powers.

8.—(1) Until the appointment of new trustees, the personal representatives or representative for the time being of a sole trustee, or, where there were two or more trustees, then, of the last surviving or continuing trustee, shall be capable of exercising or performing any power or trust which was given to, or capable of being exercised by, the sole or last surviving or continuing trustee.

(2) This section shall take effect subject to any direction to the contrary expressed in the instrument, if any, creating the power or trust.

(3) This section applies only to trusts constituted after or created by instruments coming into operation after the commencement of the Act of 1881.

(4) In this section " personal representative " means an executor (original or by representation) or administrator, but does not include an executor who has renounced or has not proved.

(5) This section does not apply to land of copyhold or customary tenure vested in the tenant on the court rolls on trust.

Provisions respecting mortgaged property where the right of redemption is barred.

9.—(1) Where any property, vested in trustees by way of security, becomes, by virtue of the statutes of limitation, or of an order for foreclosure or otherwise, discharged from the right of redemption, it shall be held by them on trust for sale, with power to postpone such sale for such a period as they may think proper.

(2) The net proceeds of sale, after payment of costs and expenses, shall be applied in like manner as the mortgage debt, if received, would have been applicable, and the income of the property until sale shall be applied in like manner as the interest, if received, would have been applicable; but this subsection shall operate without prejudice to any rule of law relating to the apportionment of capital and income between tenant for life and remainderman.

(3) This section shall not affect the right of any person to require that, instead of a sale, the property shall be conveyed to him or in accordance with his directions.

(4) Where the mortgage money is capital money for the purposes of the Settled Land Acts, 1882 to 1890, the trustees shall, if the tenant for life, or person having the powers of a tenant for life, so requires, instead of selling any land forming the whole or part of such property, make such conveyance or execute such declaration of trust of the same as may be required for giving effect to the directions contained in section twenty-four of the Settled Land Act, 1882 (as amended by any subsequent enactment), and as if the land had been acquired by purchase as mentioned in that section.

45 & 46 Vict. c. 38. s. 24.

(5) This section applies to property the right of redemption whereof is discharged before as well as after the commencement of this Act.

As to dispositions on trust for sale.

10.—(1) Where a settlement within the meaning of section sixty-three of the Settled Land Act, 1882, or other settlement of property as personal estate, contains a power to invest money in the purchase of land, such land shall, unless the settlement otherwise provides, be held by the trustees on trust for sale, with power to postpone the sale; and the net rents and profits until sale, after keeping down costs of repairs and insurance and other outgoings, shall be paid or applied in like manner as the income of investments representing the purchase-money would be payable or applicable if a sale had been made and the proceeds had been duly invested in personal estate.

(2) Subsection (1) of this section applies only to settlements coming into operation after the commencement of this Act.

(3) Where land has, either before or after the commencement of this Act, become subject to an express or implied trust for sale, such trust is, so far as regards the safety and protection of any purchaser thereunder, to be deemed to be subsisting until the land has been conveyed to or under the direction of the persons interested in the proceeds of sale.

(4) Subsection (3) of this section applies to sales made before as well as after the commencement of this Act, but without prejudice to the order of any court restraining a sale.

Notice of restrictive covenants.

11.—(1) Where land having a common title with other land is disposed of to a purchaser (other than a lessee or a mortgagee) who does not hold or obtain possession of the documents forming the common title, such purchaser, notwithstanding any stipulation to the contrary, may require that a memorandum giving notice of any provision contained in the disposition to him restrictive of user of, or giving rights over, any other land comprised in the common title, shall, where practicable, be indorsed on, or, where impracticable, be permanently annexed to some one document selected by the purchaser but retained in the possession or power of the person who makes the disposition, and being or forming part of the common title.

(2) The title of any person omitting to require an indorsement to be made or a memorandum to be annexed shall not, by reason only of this enactment, be prejudiced or affected by the omission.

(3) This section does not apply to dispositions of land registered under the Land Transfer Acts, 1875 and 1897.

38 & 39 Vict. c. 87.
60 & 61 Vict. c. 65.

Power for proving executors to sell or transfer real estate.

12.—(1) Where probate is granted to one or some of several persons named as executors, power being reserved to the others or other to prove, the sale, transfer or disposition of real estate may, notwithstanding anything contained in subsection (2) of section two of the Land Transfer Act, 1897, be made by the proving executor or executors without the authority of the court and shall be as effectual as if all the persons named as executors had concurred therein.

(2) This section applies to probates granted before as well as after the commencement of this Act, but only as respects dispositions made after the commencement of this Act.

Notice of trusts on transfer of mortgage.

13.—(1) Where, on the transfer of a mortgage, the stamp duty, if payable according to the amount of the debt transferred, would exceed the sum of ten shillings, a purchaser shall not, by reason only of the transfer bearing a ten-shilling stamp, whether adjudicated or not, be deemed to have or to have had notice of any trust, or that the transfer was made for effectuating the appointment of a new trustee.

(2) This section applies to transfers made before as well as after the commencement of this Act.

Amendment of section 42 of the Act of 1881.

14. The words "and being a woman is also unmarried" in subsection one of section forty-two of the Act of 1881 are hereby repealed.

Amendment of the Third Schedule to the Act of 1881.

15. The words "or for giving effect to special arrangements" are hereby substituted for the words "or other matter" at the foot of Part I. of the Third Schedule to the Act of 1881.

Short title, commencement, and construction.

16.—(1) This Act may be cited as the Conveyancing Act, 1911.

(2) This Act shall come into operation on the first day of January one thousand nine hundred and twelve.

(3) This Act and the Conveyancing Acts, 1881 to 1892, shall be construed together, and may be cited together as the Conveyancing Acts, 1881 to 1911.

44 & 45 Vict. c. 41.

(4) In this Act the Conveyancing and Law of Property Act, 1881, is referred to as the Act of 1881, and that Act may be cited as the Conveyancing Act, 1881.

CHAPTER 38.

An Act to amend the Money-lenders Act, 1900.

[16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Rights of bonâ fide holders for value, &c., under contracts with money-lenders.

1.—(1) Notwithstanding anything in section two of the Money-lenders Act, 1900—

(*a*) any agreement with, or security taken by, a money-lender shall be, and shall be deemed always to have been, valid in favour of any bonâ fide assignee or holder for value without notice of any defect due to the operation of that section, and of any person deriving title under him; and

(*b*) any payment or transfer of money or property made bonâ fide by any person, whether acting in a fiduciary capacity or otherwise, on the faith of the validity of any such agreement or security, without notice of any such defect, shall, in favour of that person, be, and be deemed always to have been, as valid as it would have been if the agreement or security had been valid;

but in either such case the money-lender shall be liable to indemnify the borrower or any other person who is prejudiced by virtue of this enactment, and nothing in this enactment shall render valid an agreement or security in favour of an assignee or holder for value who is himself a money-lender.

(2) A person shall not be deemed to have had notice of a defect in an agreement or security by reason only that a search in the register established under the Money-lenders Act, 1900, would have disclosed the defect or shown that the agreement or security was effected with a money-lender; and, for the purposes of this Act and the Money-lenders Act, 1900, the provisions of section three of the Conveyancing Act, 1882, shall apply and be deemed always to have applied as if the expression "purchaser" included a person making any such payment or transfer as aforesaid.

63 & 64 Vict. c. 51.

45 & 46 Vict. c. 39.

(3) Nothing in this section shall render valid for any purpose any agreement, security, or other transaction which would, apart from section two of the Money-lenders Act, 1900, have been void or unenforceable, nor any agreement or security which has, before the commencement of this Act, been declared void by a court of competent jurisdiction.

Prohibition on money-lenders being registered as bankers.

2.—(1) No person shall be registered as a money-lender under any name including the word "bank," or under any name implying that he carries on banking business; and, where any money-lender is registered under any such name, the name shall be removed from the register and a notification to that effect sent to the money-lender.

(2) If a money-lender, in the course of carrying on the money-lending business, issues or publishes, or causes to be issued or published, any circular, notice, advertisement, letter, account, or statement of any kind containing expressions which might reasonably be held to imply that he carries on banking business, he shall be liable on summary conviction to the like penalties as if he had failed to comply with section two of the Money-lenders Act, 1900.

Short title and construction.

3. This Act may be cited as the Money-lenders Act, 1911, and shall be construed as one with the Money-lenders Act, 1900, and that Act and this Act may be cited together as the Money-lenders Acts, 1900 and 1911.

CHAPTER 39.

An Act to facilitate the construction and maintenance of Telegraphic Lines. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to Postmaster General to place telegraphic lines across railways and canals.

1. Where the Postmaster General has constructed, or desires to construct, a telegraphic line along a street or public road or on, over, or under any land (including any buildings), and the said line crosses or is carried over, upon, or under, or it is, in his opinion, expedient that the said line shall cross, or be carried over, upon, or under, a railway or canal, the Postmaster General may enter upon that railway or canal for the purpose of maintaining or altering the said telegraphic line, if already constructed, or (as the case may be) for the purpose of placing the said telegraphic line thereon (either overhead or underground) and of maintaining or altering the same, and may remain for such reasonable time and execute and do all such works and things as may be necessary or convenient for the purposes aforesaid: Provided that—

(1) The powers conferred by this Act shall not apply to any portion of a telegraphic line where that portion is placed or intended to be placed along the course of a railway or canal for a greater distance than a quarter of a mile; and

(2) In executing and doing any such works and things, the Postmaster General shall not interfere with the traffic along or user of the railway or canal, and shall enjoy the rights and powers aforesaid, subject to the following conditions:—

(*a*) The Postmaster General shall, not less than twenty-one days before he places any telegraphic line, give to the railway company or canal company a notice specifying the course and position and method of construction and attachment (if any) of the proposed telegraphic line, and any proposed means of protection where necessary, so far as regards the railway or canal, and, if within twenty-one days after such notice the company object to the proposals specified in the notice, a difference shall be deemed to have arisen between the Postmaster General and the company:

(*b*) The Postmaster General shall not, under the powers of this Act, be entitled to make any attachment to or prejudicially affect any telegraphic line belonging to or maintained by the railway company or canal company:

(*c*) The Postmaster General shall be responsible for the proper maintenance of any telegraphic line constructed or maintained by him under the powers conferred by this Act:

(*d*) The Postmaster General shall, upon receiving notice in writing from the railway company or canal company, remove or alter within a reasonable time, and to the reasonable satisfaction of the railway company or canal company, any telegraphic line of the Postmaster General constructed or maintained under the authority of this Act which shall interfere with the existing or any proposed works of the railway company or canal company or the traffic thereon: Provided that, if within twenty-one days after receipt of such notice the Postmaster General objects to the removal or alteration required by such notice, a difference shall be deemed to have arisen between the Postmaster General and the company:

(*e*) If any damage or injury be caused to the railway or canal by the placing, user, alteration, repair, or maintenance of the telegraphic line, the Postmaster General shall, at his own expense, make good such damage or injury, and shall indemnify the railway company or canal company against any damage or expense to which they may be put by reason of any such damage or injury:

(*f*) If the railway company or canal company shall incur any expense by or in consequence of the exercise by the Postmaster General of any powers conferred upon him by this Act, the Postmaster General shall from time to time pay to the company the amount of such expense.

2.—(1) Nothing in this Act shall take away or prejudicially affect the right or title of any railway company or canal company to any payment, privilege, or other consideration which the Postmaster General would have been liable to make or give if this Act had not passed, in respect of wayleave for telegraphs or in respect of the occupation of the railways or canals of the company by the Postmaster General for telegraphic purposes. But, notwithstanding anything contained in any Act, agreement, or award, the Postmaster General shall be under no liability to make any payment to any railway company or canal company in respect of any right or claim of the railway company or canal company to construct or maintain any telegraphic line which the Postmaster General is authorised by this Act to construct or maintain, or in respect of the waiver of any such right or claim of the railway company or canal company. Savings.

(2) The powers conferred by this Act shall be in addition to and shall not derogate from any powers conferred upon the Postmaster General by the Telegraph Acts, 1863 to 1909.

Determination of differences.

3. If any difference arises between the Postmaster General and any railway company or canal company under this Act, the difference shall be referred to and determined by the Railway and Canal Commission, and the provisions of section two (which relates to the procedure of the Commission) of the Telegraph (Arbitration) Act, 1909, shall apply to any proceedings relating to such difference.

9 Edw. 7. c. 20.

For protection of Earl of Ellesmere and the Manchester Ship Canal Company.

4. For the protection of the Right Honourable Francis Charles Granville Egerton, Earl of Ellesmere, and his successors in title, or other the owner or owners for the time being of the estates situate in Worsley and elsewhere in the county of Lancaster known as the Ellesmere Estates (herein-after referred to as "the owner") and of the Manchester Ship Canal Company the following provisions shall, unless otherwise agreed in writing, have effect (that is to say): Nothing in this Act shall take away or prejudicially affect any rights, powers, or privileges of the owner, the Manchester Ship Canal Company, or of the Postmaster General under the agreement dated the tenth day of December one thousand eight hundred and eighty, made between the Honourable Algernon Egerton, the Right Honourable John Frederick Vaughan, Earl Cawdor, and the Right Honourable George Henry Charles, Baron Strafford, of Harmondsworth, commonly called Viscount Enfield, of the first part, the Right Honourable Francis Charles Granville Egerton, Earl of Ellesmere, of the second part, the Bridgewater Navigation Company, Limited, of the third part, and the Right Honourable Henry Fawcett, M.P., then Her late Majesty's Postmaster General, of the fourth part, as modified by section two hundred and eight of the Manchester Ship Canal Act, 1885, but the said agreement as so modified shall continue in full force and effect as if this Act had not been passed.

48 & 49 Vict. c. clxxxvii.

Saving for North Staffordshire Railway Company.

5. Nothing in this Act contained shall prejudice, alter or affect any of the provisions of the agreement made between the North Staffordshire Railway Company and the Postmaster General bearing date the twelfth day of January one thousand nine hundred and five.

Extent of Act.

6.—(1) This Act shall apply only to railways and canals across which the Postmaster General has a right of way or wayleave for his telegraphic lines:—

(*a*) Under the Telegraph Acts, 1868–1869, or any agreement or award confirmed thereby or made under the provisions thereof; or

31 & 32 Vict. c. 110.
32 & 33 Vict. c. 73.

(*b*) (In the case of railways referred to in the first proviso to section six of the Telegraph Act, 1878) under the Telegraph Act, 1878.

41 & 42 Vict. c. 76.

(2) The agreement dated the 2nd day of March 1900 and made between the London Tilbury and Southend Railway Company and the Postmaster General shall, for the purposes of this Act, be deemed not to have been made under the provisions of

the Telegraph Acts, 1868–1869, and nothing in this Act shall affect any railway belonging to the said company, unless that railway is leased or worked by any of the railway companies referred to in the first proviso to section six of the Telegraph Act, 1878.

Interpretation and notices.

7.—(1) In this Act—

The expressions "telegraphic line," "alteration," and "altering" have the same meaning as in the Telegraph Act, 1878;

The expressions "street," "public road," "railway," "canal," and "land" have the same meaning as in the Telegraph Act, 1863, as amended by the Telegraph Act, 1892;

26 & 27 Vict. c. 112.
55 & 56 Vict. c. 59.

The expressions "railway company" and "canal company" respectively include the proprietors or lessees, or the directors or persons having the control of a railway or canal.

(2) Section twelve of the Telegraph Act, 1878 (which relates to the printing, authentication, and service of notices and other documents), shall apply for the purposes of this Act as it applies for the purposes of that Act.

Short title.

8. This Act may be cited as the Telegraph (Construction) Act, 1911, and may be cited with the Telegraph Acts, 1863 to 1911.

CHAPTER 40.

An Act to provide for the appointment of two additional Commissioners in Lunacy and to transfer the power of making Vesting Orders from the Judge in Lunacy to the High Court. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Transfer of powers as to vesting orders from Judge in Lunacy to High Court.

1. The powers of the Judge in Lunacy under sections one hundred and thirty-five to one hundred and forty-three of the Lunacy Act, 1890, as amended by any subsequent enactment, to make such vesting and other orders as are in those sections mentioned shall except so far as they relate to lunatic mortgagees, not being also trustees, be transferred to, and, subject to rules of the Supreme Court, be exerciseable by, the High Court, and, except as aforesaid, those sections as so amended shall have effect accordingly as if for references to the Judge in Lunacy there were substituted references to the High Court.

53 & 54 Vict. c. 5.

Repealed by the Trustee Act 1925 s. 70 See now s. 54 of that Act

Short title.

2. This Act may be cited as the Lunacy Act, 1911, and the Lunacy Acts, 1890 to 1908, and this Act may be cited together as the Lunacy Acts, 1890 to 1911.

Appointment of two additional Commissioners.

3. The number of paid Commissioners in Lunacy shall be increased by two, and for that purpose the Lord Chancellor may appoint two persons to be Commissioners in Lunacy, and the provisions of the Lunacy Act, 1890, with respect to the qualification of Commissioners shall apply to any Commissioner appointed under this section.

CHAPTER 41.

An Act to enlarge the Remedies of Persons having claims for work done in connection with the stowing or discharging of ships' cargoes or the trimming of coal on board ships. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to arrest ship on claim for work done in stowing cargo, &c.

1.—(1) If it is claimed that any sum is due to any person from the owners of a ship for work done at any place in the United Kingdom by that person in connection with the stowing or discharging of cargoes on board or from that ship, or the trimming of coal on board that ship, and that ship is at any time found in any place in England or Ireland or within three miles of the coast thereof, a judge of any court of record in England or Ireland may, upon its being shown to him by any person applying in accordance with rules of court that primâ facie the claim against the owners is a good claim and that none of the owners reside in the United Kingdom, issue an order for the arrest of the ship.

(2) An order under this Act shall be directed to some officer of customs and excise, or some other officer named in the order, and shall require him to detain the ship until such time as satisfaction has been made by the owners, agent, master, or consignee thereof in respect of the claim, or until security, to be approved by the judge, has been given by them or him, to abide the event of any action, suit, or other legal proceeding that may be instituted in respect of the claim, and to pay all costs and damages that may be awarded thereon, and where any such order is made, the officer to whom the order is directed shall detain the ship accordingly.

(3) In any legal proceedings in relation to any such claim as aforesaid, the person giving security shall be made defendant,

and shall be stated to be the owner of the ship in respect of which the work giving rise to the claim was done, and the production of the order of the judge, made in relation to the security, shall be conclusive evidence of the liability of the defendant to the proceedings.

(4) Where a complaint is made to the Board of Trade that, before an application can be made under this section, the ship in respect of which the application is to be made will have departed from the limits of England or Ireland or three miles from the coast thereof, the ship shall, if the Board so direct, be detained for such time as will allow the application to be made and the result thereof to be communicated to the officer detaining the ship, and that officer shall not be liable for any costs or damages in respect of the detention if made in accordance with the directions of the Board.

(5) Section six hundred and ninety-two of the Merchant Shipping Act, 1894, shall apply to the detention of a ship under this Act as it applies to the detention of a ship under that Act.

57 & 58 Vict. c. 60.

(6) If the owner of a ship is a corporation, the owner shall, for the purposes of this Act, be deemed to reside in the United Kingdom if the corporation has an office in the United Kingdom at which service of writs can be effected.

Application of Act where a ship is demised to charterers.

2. Where a ship has been demised to charterers, the provisions of this Act shall apply to claims against the charterers of the ship as they apply to claims against the owners of a ship, with the substitution of charterers for owners:

Provided that no ship shall be detained on a claim against the charterers of the ship after the expiration of the term for which the ship was demised to them.

Proceedings in Admiralty.

3. Any person having a claim to which this Act applies may, if he so desires, instead of proceeding under the foregoing provisions of this Act institute proceedings in Admiralty for enforcing the claim, and all courts having jurisdiction in Admiralty shall, if proceedings are so instituted, have the same jurisdiction for the purpose of enforcing the claim as if the claim were a claim for necessaries supplied to the ship.

Saving.

4. Nothing in this Act shall affect the power of any person to enforce any claim to which this Act applies otherwise than in accordance with the provisions of this Act.

Short title.

5. This Act may be cited as the Merchant Shipping (Stevedores and Trimmers) Act, 1911.

CHAPTER 42.

An Act to give jurisdiction under section seventy-six and Part VIII. of the Merchant Shipping Act, 1894, to certain British Courts in foreign countries. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of jurisdiction under s. 76 and Part VIII. of 57 & 58 Vict. c. 60 to certain British Courts in foreign countries.

1.—(1) Among the courts before which a ship may be brought for adjudication under section seventy-six of the Merchant Shipping Act, 1894 (which relates to proceedings on forfeiture of a ship), there shall be included any British Court in a foreign country, being a court having Admiralty jurisdiction, as if such a court were included among the courts specified in that section, and that section shall be construed and have effect accordingly.

(2) Any such British Court shall also have jurisdiction to entertain any proceedings under Part VIII. of the Merchant Shipping Act, 1894, and accordingly section five hundred and four of that Act (which relates to the power of courts to consolidate claims against owners) shall be construed and have effect as if such a court were included among the courts to which an application under that section may be made.

(3) In this Act the expression "British Court in a foreign country" means any British Court having jurisdiction out of His Majesty's Dominions in pursuance of an Order in Council whether made under any Act or otherwise.

Short title and construction.

2. This Act may be cited as the Merchant Shipping Act, 1911, and shall be construed as one with the Merchant Shipping Act, 1894, and the Merchant Shipping Acts, 1894 to 1907, and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1911.

CHAPTER 43.

An Act to extend the provisions of the Medical Acts to the University of Wales and to Graduates in Medicine and Surgery thereof. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. 49 & 50 Vict. c. 48.

1. This Act may be cited for all purposes as the University of Wales (Medical Graduates) Act, 1911.

Construction.

2. This Act shall be construed as one with the Medical Act, 1886.

Power of the University of Wales to hold examinations under 49 & 50 Vict. c. 48.

3.—(1) The University is hereby empowered to hold qualifying examinations in medicine, surgery, and midwifery for the purpose of granting a diploma or diplomas conferring the right of registration under the Medical Acts, and Part I. of the Medical Act, 1886, shall be read and have effect as if the University had been a university in the United Kingdom legally qualified at the passing of that Act to grant diplomas in medicine and surgery.

(2) Notwithstanding anything in the supplemental charter granted to the University by his late Majesty King Edward the Seventh, dated the thirteenth day of August in the sixth year of his reign, degrees conferred by the University in the faculty or faculties of medicine and surgery on persons who have passed such qualifying examinations shall be deemed to confer registrable qualifications under the Medical Acts.

Power of the University of Wales to choose a member of the Medical Council.

4. The General Council constituted by the Medical Acts shall include one person chosen from time to time by the University, and section seven of the Medical Act, 1886, shall be read and have effect as if the University had been expressly named therein as one of the bodies by whom persons to be included in the General Council aforesaid should be chosen. Provided always that the fees for attendance and the travelling expenses of such member payable under section twelve of the Medical Act, 1858, shall not be paid from the funds of the said General Council or of the Branch Council for England mentioned in the Medical Acts until such time as upon the representation of the General Council or of the Privy Council made in the manner set forth in sections ten and nineteen of the Medical Act, 1886, and subject to the provisions therein contained, His Majesty may by Order in Council appoint.

21 & 22 Vict. c. 90.

CHAPTER 44.

An Act to amend the Military Manœuvres Act, 1897.

[16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 60 & 61 Vict. c. 43. s. 1.

1.—(1) Any area may, if the council of the county or borough in which it is situate consent, be included within the limits specified in any Order in Council made under section one of the Military Manœuvres Act, 1897 (hereinafter referred to as the principal Act), notwithstanding that the area has been specified in an Order in Council made under that section within the preceding five years: Provided that, in the case of any area situate in the New Forest, the consent of the Commissioners of His Majesty's Woods and of the Court of Verderers shall also be required.

(2) If an Order in Council is made under the said section, but no military manœuvres are executed thereunder, that section shall have effect as if no such Order had been made.

(3) Where the draft of an Order in Council under subsection (2) of the said section is sent to the authorities specified in that subsection before the thirty-first day of March in any year, the time which under that subsection must elapse before the Order comes into force shall be reduced from six to four months.

Amendment of 60 & 61 Vict. c. 43. s. 2.

2.—(1) So much of proviso (1) to section two of the principal Act as provides that nothing in that Act shall authorise entry on or interference with any enclosed wood or plantation shall be repealed: Provided that nothing in this section shall be construed as authorising entry on, or interference with, any enclosed wood or plantation, unless that wood or plantation is included amongst the authorised lands by the Military Manœuvres Commission.

(2) Nothing contained in the said proviso shall be construed as prohibiting the entry on or interference with any park, if that park is included amongst such authorised lands as aforesaid.

Amendment of 60 & 61 Vict. c. 43. s. 3.

3. The power of justices of the peace under section three of the principal Act by order to suspend any right of way, shall include a power by order to authorise any general or field officer in command of the authorised forces or any part thereof to make an order suspending for a time not exceeding six hours in any one day the use of any specified roads or footpaths, or parts of any specified roads or footpaths, within the specified limits and within the jurisdiction of the justices, and, where any such officer in exercise of the power so conferred on him makes such an order, he shall take such steps as in the circumstances he may consider practicable for giving publicity to his intention to make the order, but need not give such public notice as is required by subsection (2) of the said section, but all reasonable facilities for traffic shall be given whilst the order is in force.

Amendment of 60 & 61 Vict. c. 43. s. 7 (2).

4. Subsection (2) of section seven of the principal Act (which imposes penalties on certain illegal acts) shall have effect as if the following paragraph were therein inserted after paragraph (*b*):—

"or

"(*c*) erects or displays any notice or mark on or relating
"to any authorised land or authorised source of
"water representing or implying that the use of
"such land or source is not authorised."

Application of 60 & 61 Vict. c. 43 to Scotland.

5. In the application of the principal Act to Scotland, references to a county borough shall be construed as references to a royal, parliamentary, or police burgh having within its boundaries for police purposes a population according to the returns of the last published census for the time being of ten thousand or upwards, and the words "references to a county "borough shall be construed as references to a royal burgh, "parliamentary burgh, or burgh under the Burgh Police (Scotland) Act, 1892," in section eight of the principal Act are hereby repealed. 55 & 56 Vict. c. 55.

Short title. **6.** This Act may be cited as the Military Manœuvres Act, 1911, and the principal Act and this Act may be cited together as the Military Manœuvres Acts, 1897 and 1911.

CHAPTER 45.

An Act to amend the Law in Ireland with respect to the use of Locomotives on Public Roads, and with respect to extraordinary Traffic. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of authority to recover expenses of extraordinary traffic. **1.**—(1) Where, by a certificate of their surveyor, it appears to the county council or urban district council which is liable or has undertaken to repair any public road, whether a main road or not, that, having regard to the average expense of repairing that road, extraordinary expenses have become necessary for the purpose of repairing the road by reason of the damage caused by excessive weight passing along the same, or extraordinary traffic thereon, the council may recover from any person by or in consequence of whose order such weight or traffic has been conducted the amount of such expenses as may be proved to the satisfaction of the court having cognizance of the case to have become necessary by reason of the damage arising from such weight or traffic as aforesaid:

Provided that any person against whom expenses are or may be recoverable under this section may enter into an agreement with such council as is mentioned in this section for the payment to them of a composition in respect of such weight or traffic, and thereupon the persons so paying the same shall not be subject to any proceedings under this section.

(2) Subject to the provisions of this section in relation to road contractors and to regulations to be made by the Local Government Board, any expenses recovered under this section by the council of any county, not being a county borough, in respect of damage done to a road, shall be applied in aid of the expenses of repairing that road, and any composition received

under this section by the council of any county, not being a county borough, in respect of any weight or traffic shall be applied in aid of the expenses of repairing the road or roads affected by the weight or traffic; and every sum so recovered or received shall be credited to such account or accounts and in such manner as may be prescribed in those regulations.

(3) Where any damage, in respect of which expenses are recovered or a composition is received by a county council or urban district council under this section, is done to a road during the continuance of a contract to keep the same in repair, if the contractor, under and in accordance with the terms of the contract, repairs the damage to the satisfaction of the county surveyor or town surveyor as the case may be, the council, in the absence of any stipulation in the contract to the contrary, shall pay to the contractor, in addition to any sums payable to him under the contract, such sum as the surveyor may certify to have been duly expended by the contractor in repairing that damage, not exceeding in any event the amount actually recovered or received by the council and applicable to the repair of that damage; and if in consequence of the neglect or failure of the contractor to repair that damage under and in accordance with the terms of the contract, the council, or the surveyor on their behalf, cause the same to be repaired, then in calculating the amount that may be deducted from the sum payable to the contractor under the contract, or may be recovered from him or his sureties, credit shall be allowed for the amount actually recovered or received by the council under this section and applicable to the repair of that damage.

(4) Expenses under this section may be recovered, if not exceeding two hundred and fifty pounds, in the county court, and, if exceeding that sum, in the High Court.

(5) Proceedings in the county court under this section may be taken in the county court within the jurisdiction of which the damage is done, or within the jurisdiction of which the defendants, or any of them, reside or carry on business, and, subject to rules of court, an appeal shall lie from any order of the county court under this section as in the case of an ordinary civil bill; and the provisions of the County Courts (Ireland) Acts, 1851 to 1889, relative to appeals shall apply accordingly.

(6) Rules of court may regulate the practice and procedure in the county court and on appeals under this section, including costs and the service of civil bill processes in any part of Ireland.

(7) Proceedings for the recovery of any expenses under this section shall be commenced within twelve months of the time at which the damage was done, or, where the damage is in consequence of any particular building contract, or work extending over a long period, shall be commenced not later than six months after the completion of the contract or work.

Weight of locomotives and construction of wheels.

2. It shall not be lawful to use on any public road a locomotive constructed, otherwise than in accordance with the following provisions (that is to say):—

(1) A locomotive not drawing any waggon, and not exceeding in weight three tons, shall have the tires of the wheels thereof not less than three inches in width, with an additional inch for every ton or fraction of a ton above the first three tons; and

(2) A locomotive drawing any waggon shall have the tires of the driving wheels thereof not less than two inches in width for every ton in weight of the locomotive, unless the diameter of such wheels shall exceed five feet, when the width of the tires may be reduced in the same proportion as the diameter of the wheels is increased, but in such case the width of such tires shall not be less than fourteen inches; and

(3) A locomotive shall not exceed nine feet in width or fourteen tons in weight, except as herein-after provided; and

(4) The driving wheels of a locomotive shall be cylindrical and smooth-soled, or shod with diagonal crossbars of not less than three inches in width nor more than three-quarters of an inch in thickness, extending the full breadth of the tire, and the space intervening between each such crossbar shall not exceed three inches: Provided that the requirements of this subsection may be from time to time varied by order of the Local Government Board.

Penalty for breach of foregoing provisions.

3.—(1) The owner of any locomotive used contrary to the provisions of the last preceding section shall, for every such offence, be liable to a fine not exceeding five pounds: Provided that any county council or urban district council may, on the application of the owner of any locomotive exceeding nine feet in width or fourteen tons in weight, authorise such locomotive to be used on any public road or part of a public road which the council are liable or have undertaken to repair under such conditions (if any) as to them may appear desirable:

Provided also that the owner of the locomotive used contrary to the provisions of subsection (2) of the last preceding section shall not be deemed guilty of an offence under that section if he proves to the satisfaction of the court having cognizance of the case that such locomotive was constructed before the passing of this Act, and that the tires of the wheels thereof are not less than nine inches in width.

(2) Section three of the Locomotive Act, 1861, and section five of the Locomotives Act, 1865, are hereby repealed.

24 & 25 Vict. c. 70.
28 & 29 Vict. c. 83.

Regulations for locomotives on highways.

4.—(1) When a locomotive is passing on any public road—

(*a*) two persons shall be employed in driving or attending to the locomotive; and (*b*) one of such persons shall, when required, give assistance to any person with a horse or horses or carriages or other vehicles drawn by a horse or horses meeting or overtaking the locomotive; and

(*c*) when the locomotive is drawing more than three waggons another person shall be employed for the purpose of attending to the waggons, and such third person shall be seated at or remain near the rear of the last waggon so as to observe and be able to give assistance to any person with any carriage or vehicle of whatever kind or with a horse or horses or other animals overtaking such last waggon, and shall give such assistance when required.

(2) So long as the fires of a locomotive are alight or the locomotive contains in itself sufficient motive power to move it, one person shall remain in attendance whilst it is on any public road although it is stationary.

(3) The lights required to be carried on a locomotive, whether stationary or passing on any public road, shall be carried between the hours of one hour after sunset and one hour before sunrise during the six months beginning the first day of April in any year, and between sunset and sunrise during the six months beginning the first day of October in any year, and there shall be carried in addition during those hours an efficient red light on the rear of the locomotive, or, if it is drawing waggons, on the rear of the last waggon, fixed in such a manner as to be conspicuous.

(4) Every light carried on a locomotive, or on a waggon drawn by a locomotive, shall be fitted with such shutters or other contrivances as will enable the light to be temporarily screened in an effective manner.

(5) If any of the provisions of this section are not complied with in the case of any locomotive, the owner of the locomotive shall be liable for each offence to a fine not exceeding ten pounds.

(6) The paragraphs numbered "firstly" and "secondly," respectively, of section three of the Locomotives Act, 1865, are hereby repealed.

Steam locomotives to be constructed so as to consume their smoke.

5.—(1) Every locomotive used on any public road shall be constructed on the principle of consuming its own smoke and fitted with apparatus to prevent the escape of sparks and to prevent the dropping of live embers and cinders on the road; and any person using any locomotive not so constructed, or not consuming, so far as practicable, its own smoke, or not fitted with such apparatus as aforesaid, shall be liable to a fine not exceeding five pounds for every day during which such locomotive is used on any such public road.

(2) Section eight of the Locomotive Act, 1861, is hereby repealed.

6.—(1) A county council may, from time to time, make, alter, and repeal byelaws for granting annual licences to locomotives used within their county, and the fee (not exceeding ten pounds) to be paid in respect of each licence; and the owner of any locomotive for which a licence is required under any byelaw so made who uses or permits the same to be used in contravention of any such byelaw shall be liable to a fine not exceeding forty shillings for every day on which the same is so used.

Power of county authority to license locomotives.

All fees received under this section shall be applied in aid of the expenses of repairing the public roads in the county in such manner as may be prescribed.

(2) The provisions of the Public Health (Ireland) Act, 1878, relative to byelaws, shall, with the necessary modifications, apply in the case of every byelaw made under this section.

41 & 42 Vict. c. 52.

(3) This section shall not apply to any agricultural locomotive.

7.—(1) Offences under this Act, or under any byelaw made in pursuance of this Act, may be prosecuted, and fines recoverable under this Act, or under any byelaw made in pursuance of this Act, may be recovered in the manner provided by the Summary Jurisdiction Acts.

Recovery of penalties.

(2) Where an offence under this Act, or under any byelaw made in pursuance of this Act, for which the owner of a locomotive or waggon is liable to a penalty, has in fact been committed by some servant, workman, or other person, that servant, workman, or other person shall be liable to the same penalty as if he were the owner.

(3) Where the owner is charged with any such offence he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved, the court is satisfied that the owner had used due diligence to enforce the execution of the Act, and that the other person had committed the offence in question without the owner's knowledge, consent, or connivance, that other person shall be summarily convicted of the offence, and the owner shall be exempt from any fine.

8.—(1) In this Act, unless the context otherwise requires—

Interpretation and saving.

The expression "Local Government Board" means the Local Government Board for Ireland, and the expression "prescribed" means prescribed by that Board;

The expression "road" includes "bridge";

The expression "county" includes a county borough, and the expression "county council" includes the council of a county borough;

The expression "locomotive" means a locomotive propelled by steam or other than animal power, but does not include any light locomotive or motor car within the meaning of the Motor Car Acts, 1896 and 1903.

59 & 60 Vict. c. 36.
3 Edw. 7. c. 36.

The expression "agricultural locomotive" includes—

(*a*) Any locomotive used solely for threshing, ploughing, or any other agricultural purpose; and

(*b*) Any locomotive, the property of one or more owners or occupiers of agricultural land, employed solely for the purpose of their farms and not let out on hire;

The expression "waggon" includes any truck, cart, carriage, or other vehicle.

(2) Nothing in this Act shall affect or derogate from the provisions of any local Act dealing with the licensing of locomotives (whatever the payments in respect of the licences may be), or otherwise relating to locomotives in any county borough or other area.

(3) Nothing in this Act shall authorise any person to use a locomotive which is so constructed or used as to be a public nuisance at common law, or shall affect the right of any person to recover damages in respect of any injury sustained in consequence of the use of a locomotive.

Extent and short title.

9. This Act shall apply to Ireland only and may be cited as the Public Roads (Ireland) Act, 1911.

CHAPTER 46.

An Act to amend and consolidate the Law relating to Copyright. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

IMPERIAL COPYRIGHT.

Rights.

Copyright.

1.—(1) Subject to the provisions of this Act, copyright shall subsist throughout the parts of His Majesty's dominions to which this Act extends for the term hereinafter mentioned in every original literary dramatic musical and artistic work, if—

(*a*) in the case of a published work, the work was first published within such parts of His Majesty's dominions as aforesaid; and

(*b*) in the case of an unpublished work, the author was at the date of the making of the work a British subject or resident within such parts of His Majesty's dominions as aforesaid;

but in no other works, except so far as the protection conferred by this Act is extended by Orders in Council thereunder relating to self-governing dominions to which this Act does not extend and to foreign countries.

(2) For the purposes of this Act, "copyright" means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, to perform, or in the case of a lecture to deliver, the work or any substantial part thereof in public; if the work is unpublished, to publish the work or any substantial part thereof; and shall include the sole right,—

(*a*) to produce, reproduce, perform, or publish any translation of the work;

(*b*) in the case of a dramatic work, to convert it into a novel or other non-dramatic work;

(*c*) in the case of a novel or other non-dramatic work, or of an artistic work, to convert it into a dramatic work, by way of performance in public or otherwise;

(*d*) in the case of a literary, dramatic, or musical work, to make any record, perforated roll, cinematograph film, or other contrivance by means of which the work may be mechanically performed or delivered,

and to authorise any such acts as aforesaid.

(3) For the purposes of this Act, publication, in relation to any work, means the issue of copies of the work to the public, and does not include the performance in public of a dramatic or musical work, the delivery in public of a lecture, the exhibition in public of an artistic work, or the construction of an architectural work of art, but, for the purposes of this provision, the issue of photographs and engravings of works of sculpture and architectural works of art shall not be deemed to be publication of such works.

Infringement of copyright.

2.—(1) Copyright in a work shall be deemed to be infringed by any person who, without the consent of the owner of the copyright, does anything the sole right to do which is by this Act conferred on the owner of the copyright: Provided that the following acts shall not constitute an infringement of copyright:—

(i) Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary:

(ii) Where the author of an artistic work is not the owner of the copyright therein, the use by the author of any mould, cast, sketch, plan, model, or study made by him for the purpose of the work, provided that he does not thereby repeat or imitate the main design of that work:

(iii) The making or publishing of paintings, drawings, engravings, or photographs of a work of sculpture or artistic craftsmanship, if permanently situate in a public place or building, or the making or publishing of paintings, drawings, engravings, or photographs (which are not in the nature of architectural drawings or plans) of any architectural work of art:

(iv) The publication in a collection, mainly composed of non-copyright matter, bonâ fide intended for the use of schools, and so described in the title and in any advertisements issued by the publisher, of short passages from published literary works not themselves published for the use of schools in which copyright subsists: Provided that not more than two of such passages from works by the same author are published by the same publisher within five years, and that the source from which such passages are taken is acknowledged:

(v) The publication in a newspaper of a report of a lecture delivered in public, unless the report is prohibited by conspicuous written or printed notice affixed before and maintained during the lecture at or about the main entrance of the building in which the lecture is given, and, except whilst the building is being used for public worship, in a position near the lecturer; but nothing in this paragraph shall affect the provisions in paragraph (i) as to newspaper summaries:

(vi) The reading or recitation in public by one person of any reasonable extract from any published work.

(2) Copyright in a work shall also be deemed to be infringed by any person who—

(*a*) sells or lets for hire, or by way of trade exposes or offers for sale or hire; or

(*b*) distributes either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or

(*c*) by way of trade exhibits in public; or

(*d*) imports for sale or hire into any part of His Majesty's dominions to which this Act extends,

any work which to his knowledge infringes copyright or would infringe copyright if it had been made within the part of His Majesty's dominions in or into which the sale or hiring, exposure, offering for sale or hire, distribution, exhibition, or importation took place.

(3) Copyright in a work shall also be deemed to be infringed by any person who for his private profit permits a theatre or other place of entertainment to be used for the performance in public of the work without the consent of the owner of the copyright, unless he was not aware, and had no reasonable ground for suspecting, that the performance would be an infringement of copyright.

Term of copyright.

3. The term for which copyright shall subsist shall, except as otherwise expressly provided by this Act, be the life of the author and a period of fifty years after his death:

Provided that at any time after the expiration of twenty-five years, or in the case of a work in which copyright subsists at the passing of this Act thirty years, from the death of the author of a published work, copyright in the work shall not be deemed to be infringed by the reproduction of the work for sale if the person reproducing the work proves that he has given the prescribed notice in writing of his intention to reproduce the work, and that he has paid in the prescribed manner to, or for the benefit of, the owner of the copyright royalties in respect of all copies of the work sold by him calculated at the rate of ten per cent. on the price at which he publishes the work; and, for the purposes of this proviso, the Board of Trade may make regulations prescribing the mode in which notices are to be given, and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties, including (if they think fit) regulations requiring payment in advance or otherwise securing the payment of royalties.

Compulsory licences.

4. If at any time after the death of the author of a literary, dramatic, or musical work which has been published or performed in public a complaint is made to the Judicial Committee of the Privy Council that the owner of the copyright in the work has refused to republish or to allow the republication of the work or has refused to allow the performance in public of the work, and that by reason of such refusal the work is withheld from the public, the owner of the copyright may be ordered to grant a licence to reproduce the work or perform the work in public, as the case may be, on such terms and subject to such conditions as the Judicial Committee may think fit.

Ownership of copyright, &c.

5.—(1) Subject to the provisions of this Act, the author of a work shall be the first owner of the copyright therein:

Provided that—

(*a*) where, in the case of an engraving, photograph, or portrait, the plate or other original was ordered by some other person and was made for valuable consideration in pursuance of that order, then, in the absence of any agreement to the contrary, the person by whom such plate or other original was ordered shall be the first owner of the copyright; and

(*b*) where the author was in the employment of some other person under a contract of service or apprenticeship and the work was made in the course of his employment by that person, the person by whom the author was employed shall, in the absence of any agreement to the contrary, be the first owner of the copyright, but where the work is an article or other contribution to a newspaper, magazine, or similar periodical, there shall, in the absence of any agreement to the contrary, be deemed to be reserved to the author a right to restrain the publication of the work, otherwise than as part of a newspaper, magazine, or similar periodical.

(2) The owner of the copyright in any work may assign the right, either wholly or partially, and either generally or subject to limitations to the United Kingdom or any self-governing dominion or other part of His Majesty's dominions to which this Act extends, and either for the whole term of the copyright or for any part thereof, and may grant any interest in the right by licence, but no such assignment or grant shall be valid unless it is in writing signed by the owner of the right in respect of which the assignment or grant is made, or by his duly authorised agent:

Provided that, where the author of a work is the first owner of the copyright therein, no assignment of the copyright, and no grant of any interest therein, made by him (otherwise than by will) after the passing of this Act, shall be operative to vest in the assignee or grantee any rights with respect to the copyright in the work beyond the expiration of twenty-five years from the death of the author, and the reversionary interest in the copyright expectant on the termination of that period shall, on the death of the author, notwithstanding any agreement to the contrary, devolve on his legal personal representatives as part of his estate, and any agreement entered into by him as to the disposition of such reversionary interest shall be null and void, but nothing in this proviso shall be construed as applying to the assignment of the copyright in a collective work or a licence to publish a work or part of a work as part of a collective work.

(3) Where, under any partial assignment of copyright, the assignee becomes entitled to any right comprised in copyright, the assignee as respects the right so assigned, and the assignor as respects the rights not assigned, shall be treated for the purposes of this Act as the owner of the copyright, and the provisions of this Act shall have effect accordingly.

Civil Remedies.

Civil remedies for infringement of copyright.

6.—(1) Where copyright in any work has been infringed, the owner of the copyright shall, except as otherwise provided by this Act, be entitled to all such remedies by way of injunction or interdict, damages, accounts, and otherwise, as are or may be conferred by law for the infringement of a right.

(2) The costs of all parties in any proceedings in respect of the infringement of copyright shall be in the absolute discretion of the court.

(3) In any action for infringement of copyright in any work, the work shall be presumed to be a work in which copyright subsists and the plaintiff shall be presumed to be the owner of the copyright, unless the defendant puts in issue the existence of the copyright, or, as the case may be, the title of the plaintiff, and where any such question is in issue, then—

(*a*) if a name purporting to be that of the author of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the author of the work;

(*b*) if no name is so printed or indicated, or if the name so printed or indicated is not the author's true name or the name by which he is commonly known, and a name purporting to be that of the publisher or proprietor of the work is printed or otherwise indicated thereon in the usual manner the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the owner of the copyright in the work for the purposes of proceedings in respect of the infringement of copyright therein.

Rights of owner against persons possessing or dealing with infringing copies, &c.

7. All infringing copies of any work in which copyright subsists, or of any substantial part thereof, and all plates used or intended to be used for the production of such infringing copies, shall be deemed to be the property of the owner of the copyright, who accordingly may take proceedings for the recovery of the possession thereof or in respect of the conversion thereof.

Exemption of innocent infringer from liability to pay damages, &c.

8. Where proceedings are taken in respect of the infringement of the copyright in any work and the defendant in his defence alleges that he was not aware of the existence of the copyright in the work, the plaintiff shall not be entitled to any remedy other than an injunction or interdict in respect of the infringement if the defendant proves that at the date of the infringement he was not aware and had no reasonable ground for suspecting that copyright subsisted in the work.

Restriction on remedies in the case of architecture.

9.—(1) Where the construction of a building or other structure which infringes or which, if completed, would infringe the copyright in some other work has been commenced, the owner of the copyright shall not be entitled to obtain an injunction or interdict to restrain the construction of such building or structure or to order its demolition.

(2) Such of the other provisions of this Act as provide that an infringing copy of a work shall be deemed to be the property of the owner of the copyright, or as impose summary penalties, shall not apply in any case to which this section applies.

Limitation of actions.

10. An action in respect of infringement of copyright shall not be commenced after the expiration of three years next after the infringement.

Summary Remedies.

Penalties for dealing with infringing copies, &c.

11.—(1) If any person knowingly—

(*a*) makes for sale or hire any infringing copy of a work in which copyright subsists; or

(*b*) sells or lets for hire, or by way of trade exposes or offers for sale or hire any infringing copy of any such work; or (*c*) distributes infringing copies of any such work either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or

(*d*) by way of trade exhibits in public any infringing copy of any such work; or

(*e*) imports for sale or hire into the United Kingdom any infringing copy of any such work:

he shall be guilty of an offence under this Act and be liable on summary conviction to a fine not exceeding forty shillings for every copy dealt with in contravention of this section, but not exceeding fifty pounds in respect of the same transaction; or, in the case of a second or subsequent offence, either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

(2) If any person knowingly makes or has in his possession any plate for the purpose of making infringing copies of any work in which copyright subsists, or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright, he shall be guilty of an offence under this Act, and be liable on summary conviction to a fine not exceeding fifty pounds, or, in the case of a second or subsequent offence, either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

(3) The court before which any such proceedings are taken may, whether the alleged offender is convicted or not, order that all copies of the work or all plates in the possession of the alleged offender, which appear to it to be infringing copies or plates for the purpose of making infringing copies, be destroyed or delivered up to the owner of the copyright or otherwise dealt with as the court may think fit.

(4) Nothing in this section shall, as respects musical works, affect the provisions of the Musical (Summary Proceedings) Copyright Act, 1902, or the Musical Copyright Act, 1906.

2 Edw. 7. c. 15.
6 Edw. 7. c. 36.

Appeals to quarter sessions.

12. Any person aggrieved by a summary conviction of an offence under the foregoing provisions of this Act may in England and Ireland appeal to a court of quarter sessions and in Scotland under and in terms of the Summary Jurisdiction (Scotland) Acts.

Extent of provisions as to summary remedies.

13. The provisions of this Act with respect to summary remedies shall extend only to the United Kingdom.

Importation of Copies.

Importation of copies.

14.—(1) Copies made out of the United Kingdom of any work in which copyright subsists which if made in the United Kingdom would infringe copyright, and as to which the owner of the copyright gives notice in writing by himself or his agent to the Commissioners of Customs and Excise, that he is desirous that such copies should not be imported into the United

Kingdom, shall not be so imported, and shall, subject to the provisions of this section, be deemed to be included in the table of prohibitions and restrictions contained in section forty-two of the Customs Consolidation Act, 1876, and that section shall apply accordingly. 39 & 40 Vict. c. 36.

(2) Before detaining any such copies or taking any further proceedings with a view to the forfeiture thereof under the law relating to the Customs, the Commissioners of Customs and Excise may require the regulations under this section, whether as to information, conditions, or other matters, to be complied with, and may satisfy themselves in accordance with those regulations that the copies are such as are prohibited by this section to be imported.

(3) The Commissioners of Customs and Excise may make regulations, either general or special, respecting the detention and forfeiture of copies the importation of which is prohibited by this section, and the conditions, if any, to be fulfilled before such detention and forfeiture, and may, by such regulations, determine the information, notices, and security to be given, and the evidence requisite for any of the purposes of this section, and the mode of verification of such evidence.

(4) The regulations may apply to copies of all works the importation of copies of which is prohibited by this section, or different regulations may be made respecting different classes of such works.

(5) The regulations may provide for the informant reimbursing the Commissioners of Customs and Excise all expenses and damages incurred in respect of any detention made on his information, and of any proceedings consequent on such detention; and may provide for notices under any enactment repealed by this Act being treated as notices given under this section.

(6) The foregoing provisions of this section shall have effect as if they were part of the Customs Consolidation Act, 1876: Provided that, notwithstanding anything in that Act, the Isle of Man shall not be treated as part of the United Kingdom for the purposes of this section.

(7) This section shall, with the necessary modifications, apply to the importation into a British possession to which this Act extends of copies of works made out of that possession.

Delivery of Books to Libraries.

Delivery of copies to British Museum and other libraries.

15.—(1) The publisher of every book published in the United Kingdom shall, within one month after the publication, deliver, at his own expense, a copy of the book to the trustees of the British Museum, who shall give a written receipt for it.

(2) He shall also, if written demand is made before the expiration of twelve months after publication, deliver within one month after receipt of that written demand or, if the demand was made before publication, within one month after publication, to some depôt in London named in the demand a copy of the

book for, or in accordance with the directions of, the authority having the control of each of the following libraries, namely: the Bodleian Library, Oxford, the University Library, Cambridge, the Library of the Faculty of Advocates at Edinburgh, and the Library of Trinity College, Dublin, and subject to the provisions of this section the National Library of Wales. In the case of an encyclopædia, newspaper, review, magazine, or work published in a series of numbers or parts, the written demand may include all numbers or parts of the work which may be subsequently published.

(3) The copy delivered to the trustees of the British Museum shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the book are published, and shall be bound, sewed, or stitched together, and on the best paper on which the book is printed.

(4) The copy delivered for the other authorities mentioned in this section shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.

(5) The books of which copies are to be delivered to the National Library of Wales shall not include books of such classes as may be specified in regulations to be made by the Board of Trade.

(6) If a publisher fails to comply with this section, he shall be liable on summary conviction to a fine not exceeding five pounds and the value of the book, and the fine shall be paid to the trustees or authority to whom the book ought to have been delivered.

(7) For the purposes of this section, the expression "book" includes every part or division of a book, pamphlet, sheet of letterpress, sheet of music, map, plan, chart or table separately published, but shall not include any second or subsequent edition of a book unless such edition contains additions or alterations either in the letterpress or in the maps, prints, or other engravings belonging thereto.

Special Provisions as to certain Works.

Works of joint authors.

16.—(1) In the case of a work of joint authorship, copyright shall subsist during the life of the author who first dies and for a term of fifty years after his death, or during the life of the author who dies last, whichever period is the longer, and references in this Act to the period after the expiration of any specified number of years from the death of the author shall be construed as references to the period after the expiration of the like number of years from the death of the author who dies first or after the death of the author who dies last, whichever period may be the shorter, and in the provisions of this Act with respect to the grant of compulsory licences a reference to the date of the death of the author who dies last shall be substituted for the reference to the date of the death of the author.

(2) Where, in the case of a work of joint authorship, some one or more of the joint authors do not satisfy the conditions conferring copyright laid down by this Act, the work shall be treated for the purposes of this Act as if the other author or authors had been the sole author or authors thereof:

Provided that the term of the copyright shall be the same as it would have been if all the authors had satisfied such conditions as aforesaid.

(3) For the purposes of this Act, "a work of joint authorship" means a work produced by the collaboration of two or more authors in which the contribution of one author is not distinct from the contribution of the other author or authors.

(4) Where a married woman and her husband are joint authors of a work the interest of such married woman therein shall be her separate property.

Posthumous works.

17.—(1) In the case of a literary dramatic or musical work, or an engraving, in which copyright subsists at the date of the death of the author or, in the case of a work of joint authorship, at or immediately before the date of the death of the author who dies last, but which has not been published, nor, in the case of a dramatic or musical work, been performed in public, nor, in the case of a lecture, been delivered in public, before that date, copyright shall subsist till publication, or performance or delivery in public, whichever may first happen, and for a term of fifty years thereafter, and the proviso to section three of this Act shall, in the case of such a work, apply as if the author had died at the date of such publication or performance or delivery in public as aforesaid.

(2) The ownership of an author's manuscript after his death, where such ownership has been acquired under a testamentary disposition made by the author and the manuscript is of a work which has not been published nor performed in public nor delivered in public, shall be primâ facie proof of the copyright being with the owner of the manuscript.

Provisions as to Government publications.

18. Without prejudice to any rights or privileges of the Crown, where any work has, whether before or after the commencement of this Act, been prepared or published by or under the direction or control of His Majesty or any Government department, the copyright in the work shall, subject to any agreement with the author, belong to His Majesty, and in such case shall continue for a period of fifty years from the date of the first publication of the work.

Provisions as to mechanical instruments.

19.—(1) Copyright shall subsist in records, perforated rolls, and other contrivances by means of which sounds may be mechanically reproduced, in like manner as if such contrivances were musical works, but the term of copyright shall be fifty years from the making of the original plate from which the contrivance was directly or indirectly derived, and the person who was the owner of such original plate at the time when such plate was made shall be deemed to be the author of the work, and, where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within the parts of His Majesty's dominions to which this Act extends if it has established a place of business within such parts.

(2) It shall not be deemed to be an infringement of copyright in any musical work for any person to make within the parts of His Majesty's dominions to which this Act extends records, perforated rolls, or other contrivances by means of which the work may be mechanically performed, if such person proves—

(*a*) that such contrivances have previously been made by, or with the consent or acquiescence of, the owner of the copyright in the work; and

(*b*) that he has given the prescribed notice of his intention to make the contrivances, and has paid in the prescribed manner to, or for the benefit of, the owner of the copyright in the work royalties in respect of all such contrivances sold by him, calculated at the rate hereinafter mentioned:

Provided that—

(i) nothing in this provision shall authorise any alterations in, or omissions from, the work reproduced, unless contrivances reproducing the work subject to similar alterations and omissions have been previously made by, or with the consent or acquiescence of, the owner of the copyright, or unless such alterations or omissions are reasonably necessary for the adaptation of the work to the contrivances in question; and

(ii) for the purposes of this provision, a musical work shall be deemed to include any words so closely associated therewith as to form part of the same work, but shall not be deemed to include a contrivance by means of which sounds may be mechanically reproduced.

(3) The rate at which such royalties as aforesaid are to be calculated shall—

(*a*) in the case of contrivances sold within two years after the commencement of this Act by the person making the same, be two and one-half per cent.; and

(*b*) in the case of contrivances sold as aforesaid after the expiration of that period, five per cent.

on the ordinary retail selling price of the contrivance calculated in the prescribed manner, so however that the royalty payable in respect of a contrivance shall, in no case, be less than a halfpenny for each separate musical work in which copyright subsists reproduced thereon, and, where the royalty calculated as aforesaid includes a fraction of a farthing, such fraction shall be reckoned as a farthing:

Provided that, if, at any time after the expiration of seven years from the commencement of this Act, it appears to the Board of Trade that such rate as aforesaid is no longer equitable, the Board of Trade may, after holding a public inquiry, make an order either decreasing or increasing that rate to such extent as under the circumstances may seem just, but any order so made shall be provisional only and shall not have any effect unless and until confirmed by Parliament; but, where an order revising the rate has been so made and confirmed, no further revision shall be made before the expiration of fourteen years from the date of the last revision.

(4) If any such contrivance is made reproducing two or more different works in which copyright subsists and the owners of the copyright therein are different persons, the sums payable by way of royalties under this section shall be apportioned amongst the several owners of the copyright in such proportions as, failing agreement, may be determined by arbitration.

(5) When any such contrivances by means of which a musical work may be mechanically performed have been made, then, for the purposes of this section, the owner of the copyright in the work shall, in relation to any person who makes the prescribed inquiries, be deemed to have given his consent to the making of such contrivances if he fails to reply to such inquiries within the prescribed time.

(6) For the purposes of this section, the Board of Trade may make regulations prescribing anything which under this section is to be prescribed, and prescribing the mode in which notices are to be given and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties, and any such regulations may, if the Board think fit, include regulations requiring payment in advance or otherwise securing the payment of royalties.

(7) In the case of musical works published before the commencement of this Act, the foregoing provisions shall have effect, subject to the following modifications and additions:—

(*a*) The conditions as to the previous making by, or with the consent or acquiescence of, the owner of the copyright in the work, and the restrictions as to alterations in or omissions from the work, shall not apply:

(*b*) The rate of two and one-half per cent. shall be substituted for the rate of five per cent. as the rate at which royalties are to be calculated, but no royalties shall be payable in respect of contrivances sold before the first day of July, nineteen hundred and thirteen, if contrivances reproducing the same work had been lawfully made, or placed on sale, within the parts of His Majesty's dominions to which this Act extends before the first day of July, nineteen hundred and ten:

(*c*) Notwithstanding any assignment made before the passing of this Act of the copyright in a musical work, any rights conferred by this Act in respect of the making, or authorising the making, of contrivances by means of which the work may be mechanically performed shall belong to the author or his legal personal representatives and not to the assignee, and the royalties aforesaid shall be payable to, and for the benefit of, the author of the work or his legal personal representatives:

(*d*) The saving contained in this Act of the rights and interests arising from, or in connexion with, action taken before the commencement of this Act shall not be construed as authorising any person who has made contrivances by means of which the work may be mechanically performed to sell any such contrivances, whether made before or after the passing of this Act, except on the terms and subject to the conditions laid down in this section:

(*e*) Where the work is a work on which copyright is conferred by an Order in Council relating to a foreign country, the copyright so conferred shall not, except to such extent as may be provided by the Order, include any rights with respect to the making of records, perforated rolls, or other contrivances by means of which the work may be mechanically performed.

(8) Notwithstanding anything in this Act, where a record, perforated roll, or other contrivance by means of which sounds may be mechanically reproduced has been made before the commencement of this Act, copyright shall, as from the commencement of this Act, subsist therein in like manner and for the like term as if this Act had been in force at the date of the making of the original plate from which the contrivance was directly or indirectly derived:

Provided that—

(i) the person who, at the commencement of this Act, is the owner of such original plate shall be the first owner of such copyright; and

(ii) nothing in this provision shall be construed as conferring copyright in any such contrivance if the making thereof would have infringed copyright in some other such contrivance, if this provision had been in force at the time of the making of the first-mentioned contrivance.

Provision as to political speeches.

20. Notwithstanding anything in this Act, it shall not be an infringement of copyright in an address of a political nature delivered at a public meeting to publish a report thereof in a newspaper.

Provisions as to photographs.

21. The term for which copyright shall subsist in photographs shall be fifty years from the making of the original negative from which the photograph was directly or indirectly derived, and the person who was owner of such negative at the time when such negative was made shall be deemed to be the author of the work, and, where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within the parts of His Majesty's dominions to which this Act extends if it has established a place of business within such parts.

Provisions as to designs registrable under 7 Edw. 7. c. 29.

22.—(1) This Act shall not apply to designs capable of being registered under the Patents and Designs Act, 1907, except designs which, though capable of being so registered, are not used or intended to be used as models or patterns to be multiplied by any industrial process.

(2) General rules under section eighty-six of the Patents and Designs Act, 1907, may be made for determining the conditions under which a design shall be deemed to be used for such purposes as aforesaid.

Works of foreign authors first published in parts of His Majesty's dominions to which Act extends.

23. If it appears to His Majesty that a foreign country does not give, or has not undertaken to give, adequate protection to the works of British authors, it shall be lawful for His Majesty by Order in Council to direct that such of the provisions of this Act as confer copyright on works first published within the parts of His Majesty's dominions to which this Act extends, shall not apply to works published after the date specified in the Order, the authors whereof are subjects or citizens of such foreign country, and are not resident in His Majesty's dominions, and thereupon those provisions shall not apply to such works.

Existing works.

Ref^ce [illegible] the proviso. Evans v Morris 1913 KB

24.—(1) Where any person is immediately before the commencement of this Act entitled to any such right in any work as is specified in the first column of the First Schedule to this Act, or to any interest in such a right, he shall, as from that date, be entitled to the substituted right set forth in the second column of that schedule, or to the same interest in such a substituted right, and to no other right or interest, and such substituted right shall subsist for the term for which it would have subsisted if this Act had been in force at the date when the work was made and the work had been one entitled to copyright thereunder:

Provided that—

(*a*) if the author of any work in which any such right as is specified in the first column of the First Schedule to this Act subsists at the commencement of this Act has, before that date, assigned the right or granted any interest therein for the whole term of the right, then at the date when, but for the passing of this Act, the right would have expired the substituted right conferred by this section shall, in the absence of express agreement, pass to the author of the work, and any interest therein created before the commencement of this Act and then subsisting shall determine; but the person who immediately before the date at which the right would so have expired was the owner of the right or interest shall be entitled at his option either—

(i) on giving such notice as hereinafter mentioned, to an assignment of the right or the grant of a similar interest therein for the remainder of the term of the right for such consideration as, failing agreement, may be determined by arbitration; or

(ii) without any such assignment or grant, to continue to reproduce or perform the work in like manner as theretofore subject to the payment, if demanded by the author within three years after the date at which the right would have so expired, of such royalties to the author as, failing agreement, may be determined by arbitration, or, where the work is incorporated in a collective work and the owner of the right or interest is the proprietor of that collective work, without any such payment;

The notice above referred to must be given not more than one year nor less than six months before the date at which the right would have so expired, and must be sent by registered post to the author, or, if he cannot with reasonable diligence be found, advertised in the London Gazette and in two London newspapers:

(*b*) where any person has, before the twenty-sixth day of July nineteen hundred and ten, taken any action whereby he has incurred any expenditure or liability in connexion with the reproduction or performance of any work in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the passing of this Act, have been lawful, nothing in this section shall diminish or prejudice any rights or interest arising from or in connexion with such action which are subsisting and valuable at the said date, unless the person who by virtue of this section becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

(2) For the purposes of this section, the expression "author" includes the legal personal representatives of a deceased author.

(3) Subject to the provisions of section nineteen subsections (7) and (8) and of section thirty-three of this Act, copyright shall not subsist in any work made before the commencement of this Act, otherwise than under, and in accordance with, the provisions of this section.

Application to British Possessions.

Application of Act to British dominions.

25.—(1) This Act, except such of the provisions thereof as are expressly restricted to the United Kingdom, shall extend throughout His Majesty's dominions: Provided that it shall not extend to a self-governing dominion, unless declared by the Legislature of that dominion to be in force therein either without any modifications or additions, or with such modifications and additions relating exclusively to procedure and remedies, or necessary to adapt this Act to the circumstances of the dominion, as may be enacted by such Legislature.

(2) If the Secretary of State certifies by notice published in the London Gazette that any self-governing dominion has passed legislation under which works, the authors whereof were at the date of the making of the works British subjects resident elsewhere than in the dominion or (not being British subjects) were resident in the parts of His Majesty's dominions to which this Act extends, enjoy within the dominion rights substantially identical with those conferred by this Act, then, whilst such legislation continues in force, the dominion shall, for the purposes of the rights conferred by this Act, be treated as if it were a dominion to which this Act extends; and it shall be lawful for the Secretary of State to give such a certificate as aforesaid, notwithstanding that the remedies for enforcing the rights, or the restrictions on the importation of copies of works, manufactured in a foreign country, under the law of the dominion, differ from those under this Act.

Legislative powers of self-governing dominions.

26.—(1) The Legislature of any self-governing dominion may, at any time, repeal all or any of the enactments relating to copyright passed by Parliament (including this Act) so far as they are operative within that dominion: Provided that no such repeal shall prejudicially affect any legal rights existing at the time of the repeal, and that, on this Act or any part thereof being so repealed by the Legislature of a self-governing dominion, that dominion shall cease to be a dominion to which this Act extends.

(2) In any self-governing dominion to which this Act does not extend, the enactments repealed by this Act shall, so far as they are operative in that dominion, continue in force until repealed by the Legislature of that dominion.

(3) Where His Majesty in Council is satisfied that the law of a self-governing dominion to which this Act does not extend provides adequate protection within the dominion for the works (whether published or unpublished) of authors who at the time of the making of the work were British subjects resident elsewhere than in that dominion, His Majesty in Council may, for the purpose of giving reciprocal protection, direct that this Act, except such parts (if any) thereof as may be specified in the Order, and subject to any conditions contained therein, shall, within the parts of His Majesty's dominions to which this Act

extends, apply to works the authors whereof were, at the time of the making of the work, resident within the first-mentioned dominion, and to works first published in that dominion; but, save as provided by such an Order, works the authors whereof were resident in a dominion to which this Act does not extend shall not, whether they are British subjects or not, be entitled to any protection under this Act except such protection as is by this Act conferred on works first published within the parts of His Majesty's dominions to which this Act extends:

Provided that no such Order shall confer any rights within a self-governing dominion, but the Governor in Council of any self-governing dominion to which this Act extends, may, by Order, confer within that dominion the like rights as His Majesty in Council is, under the foregoing provisions of this subsection, authorised to confer within other parts of His Majesty's dominions.

For the purposes of this subsection, the expression "a "dominion to which this Act extends" includes a dominion which is for the purposes of this Act to be treated as if it were a dominion to which this Act extends.

Power of Legislatures of British possessions to pass supplemental legislation.

27. The Legislature of any British possession to which this Act extends may modify or add to any of the provisions of this Act in its application to the possession, but, except so far as such modifications and additions relate to procedure and remedies, they shall apply only to works the authors whereof were, at the time of the making of the work, resident in the possession, and to works first published in the possession.

Application to protectorates.

28. His Majesty may, by Order in Council, extend this Act to any territories under his protection and to Cyprus, and, on the making of any such Order, this Act shall, subject to the provisions of the Order, have effect as if the territories to which it applies or Cyprus were part of His Majesty's dominions to which this Act extends.

PART II.

INTERNATIONAL COPYRIGHT.

Power to extend Act to foreign works.

29.—(1) His Majesty may, by Order in Council, direct that this Act (except such parts, if any, thereof as may be specified in the Order) shall apply—

(*a*) to works first published in a foreign country to which the Order relates, in like manner as if they were first published within the parts of His Majesty's dominions to which this Act extends;

(*b*) to literary, dramatic, musical, and artistic works, or any class thereof, the authors whereof were at the time of the making of the work subjects or citizens of a foreign country to which the Order relates, in like manner as if the authors were British subjects;

(c) in respect of residence in a foreign country to which the Order relates, in like manner as if such residence were residence, in the parts of His Majesty's dominions to which this Act extends;

and thereupon, subject to the provisions of this Part of this Act and of the Order, this Act shall apply accordingly:

Provided that—

(i) before making an Order in Council under this section in respect of any foreign country (other than a country with which His Majesty has entered into a convention relating to copyright), His Majesty shall be satisfied that that foreign country has made, or has undertaken to make, such provisions, if any, as it appears to His Majesty expedient to require for the protection of works entitled to copyright under the provisions of Part I. of this Act;

(ii) the Order in Council may provide that the term of copyright within such parts of His Majesty's dominions as aforesaid shall not exceed that conferred by the law of the country to which the Order relates;

(iii) the provisions of this Act as to the delivery of copies of books shall not apply to works first published in such country, except so far as is provided by the Order;

(iv) the Order in Council may provide that the enjoyment of the rights conferred by this Act shall be subject to the accomplishment of such conditions and formalities (if any) as may be prescribed by the Order;

(v) in applying the provision of this Act as to ownership of copyright, the Order in Council may make such modifications as appear necessary having regard to the law of the foreign country;

(vi) in applying the provisions of this Act as to existing works, the Order in Council may make such modifications as appear necessary, and may provide that nothing in those provisions as so applied shall be construed as reviving any right of preventing the production or importation of any translation in any case where the right has ceased by virtue of section five of the International Copyright Act, 1886.

49 & 50 Vict. c. 33.

(2) An Order in Council under this section may extend to all the several countries named or described therein.

Application of Part II. to British possessions.

30.—(1) An Order in Council under this Part of this Act shall apply to all His Majesty's dominions to which this Act extends except self-governing dominions and any other possession specified in the Order with respect to which it appears to His Majesty expedient that the Order should not apply.

(2) The Governor in Council of any self-governing dominion to which this Act extends may, as respects that dominion, make the like orders as under this Part of this Act His Majesty in Council is authorised to make with respect to His Majesty's dominions other than self-governing dominions, and the provisions of this Part of this Act shall, with the necessary modifications, apply accordingly.

(3) Where it appears to His Majesty expedient to except from the provisions of any order any part of his dominions not being a self-governing dominion, it shall be lawful for His Majesty by the same or any other Order in Council to declare that such order and this Part of this Act shall not, and the same shall not, apply to such part, except so far as is necessary for preventing any prejudice to any rights acquired previously to the date of such Order.

PART III.

SUPPLEMENTAL PROVISIONS.

Abrogation of common law rights.

31. No person shall be entitled to copyright or any similar right in any literary, dramatic, musical, or artistic work, whether published or unpublished, otherwise than under and in accordance with the provisions of this Act, or of any other statutory enactment for the time being in force, but nothing in this section shall be construed as abrogating any right or jurisdiction to restrain a breach of trust or confidence.

Provisions as to Orders in Council.

32.—(1) His Majesty in Council may make Orders for altering, revoking, or varying any Order in Council made under this Act, or under any enactments repealed by this Act, but any Order made under this section shall not affect prejudicially any rights or interests acquired or accrued at the date when the Order comes into operation, and shall provide for the protection of such rights and interests.

(2) Every Order in Council made under this Act shall be published in the London Gazette and shall be laid before both Houses of Parliament as soon as may be after it is made, and shall have effect as if enacted in this Act.

Saving of university copyright. 15 Geo. 3. c. 53.

33. Nothing in this Act shall deprive any of the universities and colleges mentioned in the Copyright Act, 1775, of any copyright they already possess under that Act, but the remedies and penalties for infringement of any such copyright shall be under this Act and not under that Act.

Saving of compensation to certain libraries.

34. There shall continue to be charged on, and paid out of, the Consolidated Fund of the United Kingdom such annual compensation as was immediately before the commencement of this Act payable in pursuance of any Act as compensation to a library for the loss of the right to receive gratuitous copies of books:

Provided that this compensation shall not be paid to a library in any year, unless the Treasury are satisfied that the compensation for the previous year has been applied in the purchase of books for the use of and to be preserved in the library.

35.—(1) In this Act, unless the context otherwise requires,— Interpretation.

"Literary work" includes maps, charts, plans, tables, and compilations;

"Dramatic work" includes any piece for recitation, choreographic work or entertainment in dumb show, the scenic arrangement or acting form of which is fixed in writing or otherwise, and any cinematograph production where the arrangement or acting form or the combination of incidents represented give the work an original character;

"Artistic work" includes works of painting, drawing, sculpture and artistic craftsmanship, and architectural works of art and engravings and photographs;

"Work of sculpture" includes casts and models;

"Architectural work of art" means any building or structure having an artistic character or design, in respect of such character or design, or any model for such building or structure, provided that the protection afforded by this Act shall be confined to the artistic character and design, and shall not extend to processes or methods of construction;

"Engravings" include etchings, lithographs, wood-cuts, prints, and other similar works, not being photographs;

"Photograph" includes photo-lithograph and any work produced by any process analogous to photography;

"Cinematograph" includes any work produced by any process analogous to cinematography;

"Collective work" means—

(*a*) an encyclopædia, dictionary, year book, or similar work;

(*b*) a newspaper, review, magazine, or similar periodical; and

(*c*) any work written in distinct parts by different authors, or in which works or parts of works of different authors are incorporated;

"Infringing," when applied to a copy of a work in which copyright subsists, means any copy, including any colourable imitation, made, or imported in contravention of the provisions of this Act;

"Performance" means any acoustic representation of a work and any visual representation of any dramatic action in a work, including such a representation made by means of any mechanical instrument;

"Delivery," in relation to a lecture, includes delivery by means of any mechanical instrument;

"Plate" includes any stereotype or other plate, stone, block, mould, matrix, transfer, or negative used or intended to be used for printing or reproducing copies of any work, and any matrix or other appliance by which records, perforated rolls or other contrivances for the acoustic representation of the work are or are intended to be made;

"Lecture" includes address, speech, and sermon;

"Self-governing dominion" means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

(2) For the purposes of this Act (other than those relating to infringements of copyright), a work shall not be deemed to be published or performed in public, and a lecture shall not be deemed to be delivered in public, if published, performed in public, or delivered in public, without the consent or acquiescence of the author, his executors administrators or assigns.

(3) For the purposes of this Act, a work shall be deemed to be first published within the parts of His Majesty's dominions to which this Act extends, notwithstanding that it has been published simultaneously in some other place, unless the publication in such parts of His Majesty's dominions as aforesaid is colourable only and is not intended to satisfy the reasonable requirements of the public, and a work shall be deemed to be published simultaneously in two places if the time between the publication in one such place and the publication in the other place does not exceed fourteen days, or such longer period as may, for the time being, be fixed by Order in Council.

(4) Where, in the case of an unpublished work, the making of a work has extended over a considerable period, the conditions of this Act conferring copyright shall be deemed to have been complied with, if the author was, during any substantial part of that period, a British subject or a resident within the parts of His Majesty's dominions to which this Act extends.

(5) For the purposes of the provisions of this Act as to residence, an author of a work shall be deemed to be a resident in the parts of His Majesty's dominions to which this Act extends if he is domiciled within any such part.

Repeal.

36. Subject to the provisions of this Act, the enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule:

Provided that this repeal shall not take effect in any part of His Majesty's dominions until this Act comes into operation in that part.

Short title and commencement.

37.—(1) This Act may be cited as the Copyright Act, 1911.

(2) This Act shall come into operation—

(*a*) in the United Kingdom, on the first day of July nineteen hundred and twelve or such earlier date as may be fixed by Order in Council;

(*b*) in a self-governing dominion to which this Act extends, at such date as may be fixed by the Legislature of that dominion;

(*c*) in the Channel Islands, at such date as may be fixed by the States of those islands respectively;

(*d*) in any other British possession to which this Act extends, on the proclamation thereof within the possession by the Governor.

SCHEDULES.

FIRST SCHEDULE.

Section 24.

Existing Rights.

Existing Right.	Substituted Right.
(*a*) *In the case of Works other than Dramatic and Musical Works.*	
Copyright - - - - -	Copyright as defined by this Act.*
(*b*) *In the case of Musical and Dramatic Works.*	
Both copyright and performing right	Copyright as defined by this Act.*
Copyright, but not performing right -	Copyright as defined by this Act, except the sole right to perform the work or any substantial part thereof in public.
Performing right, but not copyright -	The sole right to perform the work in public, but none of the other rights comprised in copyright as defined by this Act.

Reg: must be proved – see sec 24

For the purposes of this Schedule the following expressions, where used in the first column thereof, have the following meanings:—

"Copyright," in the case of a work which according to the law in force immediately before the commencement of this Act has not been published before that date and statutory copyright wherein depends on publication, includes the right at common law (if any) to restrain publication or other dealing with the work;

"Performing right," in the case of a work which has not been performed in public before the commencement of this Act, includes the right at common law (if any) to restrain the performance thereof in public.

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* In the case of an essay, article, or portion forming part of and first published in a review, magazine, or other periodical or work of a like nature, the right shall be subject to any right of publishing the essay, article, or portion in a separate form to which the author is entitled at the commencement of this Act, or would, if this Act had not been passed, have become entitled under section eighteen of the Copyright Act, 1842.

Section 36.

SECOND SCHEDULE.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
8 Geo. 2. c. 13	The Engraving Copyright Act, 1734.	The whole Act.
7 Geo. 3. c. 38	The Engraving Copyright Act, 1767.	The whole Act.
15 Geo. 3. c. 53	The Copyright Act, 1775 -	The whole Act.
17 Geo. 3. c. 57	The Prints Copyright Act, 1777.	The whole Act.
54 Geo. 3. c. 56	The Sculpture Copyright Act, 1814.	The whole Act.
3 & 4 Will. 4. c. 15.	The Dramatic Copyright Act, 1833.	The whole Act.
5 & 6 Will. 4. c. 65.	The Lectures Copyright Act, 1835.	The whole Act.
6 & 7 Will. 4. c. 59.	The Prints and Engravings Copyright (Ireland) Act, 1836.	The whole Act.
6 & 7 Will. 4. c. 110.	The Copyright Act, 1836 -	The whole Act.
5 & 6 Vict. c. 45.	The Copyright Act, 1842 -	The whole Act.
7 & 8 Vict. c. 12.	The International Copyright Act, 1844.	The whole Act.
10 & 11 Vict. c. 95.	The Colonial Copyright Act, 1847.	The whole Act.
15 & 16 Vict. c. 12.	The International Copyright Act, 1852.	The whole Act.
25 & 26 Vict. c. 68.	The Fine Arts Copyright Act, 1862.	Sections one to six. In section eight the words "and "pursuant to any Act for "the protection of copy-"right engravings," and "and in any such Act as "aforesaid." Sections nine to twelve.
38 & 39 Vict. c. 12.	The International Copyright Act, 1875.	The whole Act.
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	Section forty-two, from "Books wherein" to "such copyright will expire." Sections forty-four, forty-five, and one hundred and fifty-two.
45 & 46 Vict. c. 40.	The Copyright (Musical Compositions) Act, 1882.	The whole Act.
49 & 50 Vict. c. 33.	The International Copyright Act, 1886.	The whole Act.
51 & 52 Vict. c. 17.	The Copyright (Musical Compositions) Act, 1888.	The whole Act.
52 & 53 Vict. c. 42.	The Revenue Act, 1889 -	Section one, from "Books first published" to "as provided in that section."

Session and Chapter.	Short Title.	Extent of Repeal.
6 Edw. 7. c. 36.	The Musical Copyright Act, 1906.	In section three the words "and which has been registered in accordance with the provisions of the Copyright Act, 1842, or of the International Copyright Act, 1844, which registration may be effected notwithstanding anything in the International Copyright Act, 1886."

CHAPTER 47.

An Act to declare the effect of the Naval Discipline Acts when applied by the legislatures of self-governing Dominions to the Naval Forces raised by such Dominions. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Effect of Naval Discipline Acts as applied to naval forces of self-governing dominions.

29 & 30 Vict. c. 109.

1.—(1) Where in any self-governing dominion provision has been made (either before or after the passing of this Act) for the application to the naval forces raised by the dominion of the Naval Discipline Act, 1866, as amended by any subsequent enactment, that Act, as so amended, shall have effect as if references therein to His Majesty's Navy and His Majesty's ships included the forces and ships raised and provided by the dominion, subject, however—

(*a*) in the application of the said Act to the forces and ships raised and provided by the dominion, and the trial by court-martial of officers and men belonging to those forces, to such modifications and adaptations (if any) as may have been or may be made by the law of the dominion to adapt the Act to the circumstances of the dominion, including such adaptations as may be so made for the purpose of authorising or requiring anything, which under the said Act is to be done by or to the Admiralty or the Secretary of the Admiralty, to be done by or to the Governor General or by or to such person as may be vested with the authority by the Governor General in Council; and (*b*) in the application of the said Act to the forces and ships of His Majesty's Navy not raised and provided by a self-governing dominion, to such modifications and adaptations as may be made by His Majesty in Council for the purpose of regulating the relations of the last-mentioned forces and ships to the forces and ships raised and provided by the self-governing dominions or any of them:

Provided that, where any forces and ships so raised and provided by a self-governing dominion have been placed at the disposal of the Admiralty, the said Act shall apply without any such modifications or adaptations as aforesaid.

(2) This Act shall not come into operation in relation to the forces or ships raised and provided by any self-governing dominion, unless or until provision to that effect has been made in the dominion.

(3) For the purposes of this Act, the expression "self-governing dominion" means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

Short title.

2. This Act may be cited as the Naval Discipline (Dominion Naval Forces) Act, 1911.

CHAPTER 48.

An Act to grant certain duties of Customs and Inland Revenue, to alter other duties, and to amend the Law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make other provisions for the financial arrangements of the year.

[16th December 1911.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Customs and Excise.

1. The duty of Customs payable on tea until the first day of July nineteen hundred and eleven, under the Finance Act, 1910, shall be deemed to have been continued as from that date and shall continue to be charged, levied, and paid until the first day of July nineteen hundred and twelve, on the importation thereof into Great Britain or Ireland (that is to say) :—

Duty on tea. 10 Edw. 7. & 1 Geo. 5. c. 35.

Tea, the pound - - - - fivepence.

2.—(1) The duty of Customs of twopence per pound on cocoa or chocolate ground, prepared, or in any way manufactured, imposed by section three of the Customs and Inland Revenue Act, 1879, shall cease ; but nothing in this section shall affect the power to charge duty under section seven of the Finance Act, 1901.

Alterations of cocoa duty. 42 & 43 Vict. c. 21. 1 Edw. 7. c. 7.

(2) Drawback shall be allowed on the exportation or shipment for use as ships' stores of any goods in the manufacture or preparation of which in Great Britain or Ireland any cocoa, or cocoa butter, or cocoa husks and shells, has or have been used, equal to the duty in respect of the quantity of that cocoa, or cocoa butter, or cocoa husks and shells, as the case may be, which appears, to the satisfaction of the Treasury, to have been used in the manufacture or preparation of the goods ; and, in allowing that drawback, the Commissioners of Customs and Excise may, with the assent of the Treasury, in order to facilitate trade, relax in the case of any goods any requirements of sections one hundred and four and one hundred and six of the Customs Consolidation Act, 1876, as to the giving of security and the examination of goods.

39 & 40 Vict. c. 36.

3. Section nine of the Finance Act, 1900, shall apply in cases where goods or commodities subject to any duty of Customs or Excise are delivered out of a warehouse for removal under bond to be re-warehoused, and the duty is paid on the goods or commodities without their being re-warehoused, with the substitution of the date on which duty is paid for the date of the actual removal from the warehouse.

Provision as to goods removed to be re-warehoused. 63 & 64 Vict. c. 7.

4. The following definition shall be substituted, as from the first day of April nineteen hundred and eleven, for the definition of premises contained in section fifty-two of the Finance (1909–10) Act, 1910 :—

Definition of premises for the purpose of the valuation of licensed premises. 10 Edw. 7. c. 8.

> The expression "premises" in relation to the annual value of licensed premises includes any offices, courts, yards, and gardens which are occupied together with and are within the curtilage, or in the immediate vicinity, of the house or place where the liquor is sold, except any such offices, courts, yards, or gardens as are proved to the satisfaction of the Commissioners to be used either altogether, or with occasional exceptions only, for any trade or

business which is entirely distinct from the trade or business carried on in the house or place by the licence holder as such, and also includes any building or place which, though not within the curtilage, or in the immediate vicinity, of the house or place where the liquor is sold, is used by the licence holder for receiving or storing liquor, or which, in the opinion of the Commissioners, is used by him, otherwise than occasionally, for any purpose in connection with the sale of liquor.

Provision as to minimum duty not to apply to licensed premises situate in outlying parts of urban districts.

5. Where it is shown to the satisfaction of the Commissioners of Customs and Excise that any premises situated in an urban area are situated in a part of the area which has only a small local population and is essentially rural in character, and that the more populous parts of the district are so remote as not to affect the amount of business carried on upon the premises, the premises shall, for the purposes of Scale 3 in the First Schedule to the Finance (1909–10) Act, 1910 (which prescribes a minimum duty for publicans' and beerhouse licences), be deemed to be situate in an area which is not an urban area:

Provided that any premises in respect of which an abatement of duty is allowed under this section, shall in England and Wales for the purposes of the Sixth Schedule to the Licensing (Consolidation) Act, 1910 (which prescribes general closing hours), be deemed to be premises situate not in a town or populous place; and in Ireland for the purpose of section seventy-eight of the Licensing Act, 1872, to be premises not situate in a city or town.

10 Edw. 7. & 1 Geo. 5. c. 24.

35 & 36 Vict. c. 94.

Provision for payment of licence duty in two instalments.

6.—(1) Where the duty payable by any person under Part II. of the Finance (1909–10) Act, 1910, on any licence for the manufacture or sale of intoxicating liquor amounts to the sum of twenty pounds or upwards, the licence may, at the option of the licence holder, be granted upon payment of one-half only of the duty so payable, and in that case the other half of the duty shall be paid immediately after the expiration of six months from the commencement of the year for which the licence was granted, or, in case the licence is granted after the month of September, on the first day of February next ensuing, and, if default is made in payment of the second half of the duty, the licence shall be deemed to be of no effect so long as the default continues.

This provision shall apply to two or more licences granted in respect of one set of premises as it applies to a single licence.

(2) Any amount remaining unpaid in any case in respect of the second half of the duty may be recovered either as a debt due to the Crown or by distress on the licensed premises in the same manner as unpaid duty payable in respect of purchases of intoxicating liquor in a club may be recovered by distress on

the club premises, and subsection (3) of section forty-eight of the Finance (1909–10) Act, 1910, shall, so far as applicable, apply accordingly with the substitution of the licensed premises for the club, and of the holder of the licence for the secretary of the club.

(3) The power of recovering the second half of duty under this section shall apply to the recovery of the unpaid portion of duty in cases where a licence for the manufacture or sale of intoxicating liquor has been granted before the passing of this Act on payment of a portion of the duty only, except that in cases where the licence has been so granted under subsection (3) of section forty-nine of the Finance (1909–10) Act, 1910, and is now in force, the first day of March next after the commencement of the year for which the licence was granted shall be substituted for the first day of February next ensuing.

Repayment of proportional part of duty where justices' licence expires before Excise licence.

7. Where an Excise licence ceases to be in force owing to the fact that the justices' licence or certificate in pursuance of which it was granted has expired and has not been renewed, there shall be repaid to the holder of the Excise licence such sum as bears to the full amount of the duty the same proportion as the unexpired period of the licence bears to a whole year, unless there has been such a conviction against the licence holder as is mentioned in section twenty-two of the Excise Licences Act, 1825.

6 Geo. 4. c. 81.

Licences for new beginners.

8. In the case of licences for the sale of intoxicating liquor granted to a new beginner, the proportional part of the duty upon payment of which the licence may be granted shall be such sum as bears to the full amount of the duty the same proportion as the period for which the licence will be in force bears to a whole year.

Licences for sale of spirits for medical purposes, &c.

9.—(1) Any manufacturing or wholesale chemist and druggist who requires a licence for the purposes only of selling rectified spirits of not less than forty-three degrees above proof, for medicinal purposes, to duly qualified medical practitioners or duly registered pharmaceutical chemists or chemists and druggists, or persons requiring the spirits for use for scientific purposes in any laboratory, and undertakes not to sell spirits otherwise than for those purposes and to those persons, may obtain a licence on payment of a reduced duty of ten pounds.

(2) The Commissioners of Customs and Excise may attach such conditions to any licence granted on payment of a reduced duty under this section as they think expedient for the protection of the revenue.

(3) If any person holding a licence granted on payment of a reduced duty under this section sells spirits in any manner contrary to his undertaking, or to the conditions attached to his licence, he shall be liable in respect of each offence to an Excise penalty of fifty pounds.

Restrictions on the use of British wines for blending purposes.

10. The Commissioners of Customs and Excise may make regulations prohibiting or restricting the mixture for sale of any British wines with any foreign wine or with any description of spirits, or the sale or exposure for sale of any such mixture, and requiring every manufacturer for sale of British wines to enter in the book obtained by him from the officer of Customs and Excise such particulars as may be prescribed by them in reference to all British wines made and sent out by him, and, if any person acts in contravention or fails to comply with any of these regulations, the article in respect of which the offence is committed shall be forfeited, and the person committing the offence shall be liable in respect of each offence to an Excise penalty of fifty pounds.

Exemption of motor cars used for fire brigade purposes from duty on licences for motor cars.

11. Subsection (6) of section eighty-six of the Finance (1909–10) Act, 1910, shall be construed as if the words "or any motor car used by any local authority for fire brigade purposes" were added at the end thereof.

Exemption for motor fire engines, &c., in respect of the duty on motor spirit.

12. Any local authority using motor spirit for the purpose of supplying motive power to any motor fire engine provided by them, or to any motor car kept by them while it is being used by them for the purposes of their fire brigade service, shall be entitled to an allowance or repayment of the duty paid in respect of the motor spirit in the same manner as persons using motor spirit for purposes other than the supply of motive power for motor cars.

PART II.

STAMPS.

Reduction of duty on certain marketable securities.

13.—(1) The stamp duty charged on marketable securities transferable by delivery (not being Colonial Government securities) shall, when the amount secured by the security is to be paid off within a term not exceeding three years after the date on which the duty is payable and the date by which the amount is to be paid off is conspicuously stated on the face of the security, be reduced to threepence for every ten pounds or fractional part of ten pounds of the money secured, if that money is to be paid off within a term not exceeding one year from the date on which the duty is payable, and sixpence for every ten pounds or fractional part of ten pounds of the money secured, if that money is to be paid off within a term exceeding one year but not exceeding three years from the date on which the duty is payable.

(2) If any marketable security on which stamp duty has been charged in accordance with this section is assigned, transferred, or in any manner negotiated in the United Kingdom after the date stated on the face of the security as the date by which the amount secured is to be paid off, stamp duty shall be

charged thereon at the full rate of duty, an allowance being made for the duty already paid, and, if any person in the United Kingdom after the said date assigns, transfers, or in any manner negotiates, or is concerned as broker or agent in assigning, transferring, or in any manner negotiating any such security and the security is not stamped in accordance with this provision, that person shall incur a fine of twenty pounds.

(3) Paragraph (4) under the heading MARKETABLE SECURITY in the First Schedule to the Stamp Act, 1891 (which provides a reduced duty in the case of marketable securities given in substitution for like securities duly stamped) shall not apply in the case of marketable securities given in substitution for marketable securities which have been stamped only with the reduced duty under this section.

54 & 55 Vict. c. 39.

PART III.

INCOME TAX AND INHABITED HOUSE DUTY.

Income tax for 1911–12.

14.—(1) Income tax for the year beginning on the sixth day of April nineteen hundred and eleven shall be charged at the rate of one shilling and twopence, and the same super-tax shall be charged, levied, and paid for that year as was charged for the year beginning on the sixth day of April nineteen hundred and ten.

(2) All such enactments relating to income tax (including super-tax) as were in force with respect to duties of income tax granted for the year beginning on the sixth day of April nineteen hundred and ten shall have full force and effect with respect to any duties of income tax hereby granted.

(3) The annual value of any property which has been adopted for the purpose either of income tax under Schedules A. and B. in the Income Tax Act, 1853, or of inhabited house duty, during the year ending on the fifth day of April nineteen hundred and eleven, shall be taken as the annual value of such property for the same purpose during the next subsequent year; provided that this subsection—

16 & 17 Vict. c. 34.

(*a*) so far as respects the duty on inhabited houses in Scotland, shall be construed with the substitution of the twenty-fourth day of May for the fifth day of April; and

(*b*) shall not apply to the metropolis as defined by the Valuation (Metropolis) Act, 1869.

32 & 33 Vict. c. 67.

Inhabited house duty in case of premises in hands of caretakers.

15. The fact that the husband or wife of a caretaker, or other member of the family of a caretaker, or the servant of a caretaker, dwells in any house or tenement together with the caretaker shall not be of itself sufficient to deprive the house or tenement of the benefit of any exemption under Schedule B, case 5, of the House Tax Act, 1808, or subsection (2) of section thirteen of the Customs and Inland Revenue Act, 1878.

48 Geo. 3. c. 55.
41 & 42 Vict. c. 15.

Part IV.

National Debt.

Partial application of surplus for development fund and sanatoria and loan to East Africa Protectorate.
38 & 39 Vict. c. 45.
9 Edw. 7. c. 47.

16.—(1) The old sinking fund for the financial year ending the thirty-first day of March nineteen hundred and eleven, as calculated under section nineteen of the Revenue Act, 1911, shall, notwithstanding anything in the Sinking Fund Act, 1875—

(*a*) to the extent of one million five hundred thousand pounds, be issued and paid by the Treasury at such times as they direct to the development fund under the Development and Road Improvement Funds Act, 1909, in lieu of the sums to be issued out of the consolidated fund under subsection (2) of section two of that Act in the years ending the thirty-first day of March nineteen hundred and thirteen, nineteen hundred and fourteen, and nineteen hundred and fifteen respectively; and

(*b*) to the extent of one million five hundred thousand pounds, be issued by the Treasury at such times as they direct, and carried by the Treasury to a separate account, and made available in such manner as Parliament may determine for the purposes of the provision of, or making grants in aid to, sanatoria and other institutions for the treatment of tuberculosis, or such other diseases as the Local Government Board, or as respects Scotland the Local Government Board for Scotland, or as respects Ireland the Local Government Board for Ireland, with the approval of the Treasury, may appoint; and

(*c*) to the extent of two hundred and fifty thousand pounds, shall be issued by the Treasury at such times as they may direct for the purpose of the advance authorised by this Act to the Government of the East Africa Protectorate.

(2) The Treasury may advance by way of loan to the Government of the East Africa Protectorate for the purpose of providing improved railway communication and harbours in the Protectorate, and improved water supply for Mombasa any sums not exceeding in the whole two hundred and fifty thousand pounds.

The Government of the Protectorate shall annually, until the whole advance is deemed to have been repaid, pay to the Treasury interest at the rate of three and a half per cent. on the amount advanced, and also, by way of sinking fund, a further sum equal to one per cent. on the amount advanced, and the whole of the advance shall be deemed to have been repaid when sinking fund payments have been made sufficient, if accumulated at three and a half per cent. with yearly rests, to produce an amount equal to the advance.

Any sums paid on account of the principal or interest of the advance shall be paid into the Exchequer, and issued to the National Debt Commissioners, and shall be applied by them in like manner as the old sinking fund.

Transfer of Government stock by deed. 33 & 34 Vict. c. 71.

17.—(1) Notwithstanding anything in section twenty-two of the National Debt Act, 1870, any stock belonging to a stockholder shall, if registered for the time being as stock transferable by deed in manner provided by regulations made under this section, be transferable by deed instead of in the manner provided by that section.

The Banks of England and Ireland respectively, with the concurrence of the Treasury, shall provide by regulations for a separate stock register being kept for stock which is for the time being transferable by deed, for the conditions upon which stock is to be entered in or removed from that register, for the mode in which the transfer by deed is to be carried out, and for the payment of any fees in respect of the entry or removal of stock from the register and the carrying out of any transfer of stock by deed.

The provisions of the National Debt Act, 1870, and any Act amending the same, shall apply to stock transferable by deed in pursuance of this section as they apply to stock transferable in the books of the Banks of England or Ireland, except so far as express provision is made to the contrary by this section or by the regulations made thereunder.

(2) No stamp duty shall be payable in respect of any deed of transfer of the stock.

(3) In this section the expression "stock" means any stock which is for the time being transferable in the books of the Banks of England and Ireland under the National Debt Act, 1870.

PART V.

DEATH DUTIES.

Valuation of cottages for purposes of Estate Duty. 57 & 58 Vict. c. 30.

18. It is hereby declared that, in estimating for the purposes of subsection (5) of section seven of the Finance Act, 1894, the principal value of any agricultural property which comprises cottages occupied by persons employed solely for agricultural purposes in connexion with the property, no account shall be taken of any value attributable to the fact that the cottage is suitable for the residential purposes of any persons other than agricultural labourers or workmen on the estate.

Amendment of 10 Edw. 7. c. 8, s. 61 (5).

19. Subsection (5) of section sixty-one of the Finance (1909–10) Act, 1910 (which relates to duty in respect of timber, trees, or wood), shall have effect and shall be deemed always to have had effect as if the words "on or after the thirtieth day of April nineteen hundred and nine" were substituted for the words "after the passing of this Act."

PART VI.

GENERAL.

Provision for enabling the Post Office to exercise powers in relation to stamps, &c.

20. His Majesty may, by Order in Council, provide that any powers and duties of the Commissioners of Inland Revenue, whether statutory or otherwise, with reference to any stamps used to denote duties of postage, or any stamps used to denote other duties, being either adhesive stamps or stamps which are usually sold or distributed at a post office, or with reference to any postal orders, licences, or forms usually so sold or distributed shall be exercised and performed by the Postmaster-General, either to the exclusion of the Commissioners of Inland Revenue or concurrently with those Commissioners, and any such order shall have effect as if enacted in this Act.

Such provisions may be made by the order as appear necessary or expedient to give full effect to the exercise and performance of the powers and duties to which the order relates in manner provided by the order.

Amendment of schedule to Revenue Act, 1911. 1 Geo. 5. c. 2.

21. The Revenue Act, 1911, shall be read as if section ninety-one of the Finance (1909–10) Act, 1910, were not included in the schedule of enactments repealed.

Repeal, construction, and short title.

22.—(1) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) Part I. of this Act, so far as it relates to duties of Customs, shall be construed together with the Customs Consolidation Act, 1876, and the Acts amending that Act, and so far as it relates to duties of Excise shall be construed together with the Acts which relate to duties of Excise and the management of those duties.

39 & 40 Vict. c. 36.

Part II. of this Act shall be construed together with the Stamp Act, 1891.

Part III. of this Act shall be construed together with the Income Tax Acts, 1842 and 1853, and any other enactments relating to income tax.

5 & 6 Vict. c. 35. 16 & 17 Vict. c. 34.

(3) This Act may be cited as the Finance Act, 1911.

SCHEDULE.

ENACTMENTS REPEALED.

Section 22.

Session and Chapter.	Short Title.	Extent of Repeal.
6 Geo. 4. c. 81.	The Excise Licences Act, 1825.	Section twenty-four.
42 & 43 Vict. c. 21.	The Customs and Inland Revenue Act, 1879.	Section three.
9 Edw. 7. c. 47.	The Development and Road Improvement Funds Act, 1909.	Subsection (2) of section two, as from the thirty-first day of March nineteen hundred and twelve.
10 Edw. 7. c. 8.	The Finance (1909–10) Act, 1910.	Subsection (3) of section forty-nine and in section fifty-two the definition of "premises."

CHAPTER 49.

An Act to encourage the formation of Small Agricultural Holdings in Scotland, and to amend the Law relating to the Tenure of such Holdings (including Crofters' Holdings); to establish a Board of Agriculture for Scotland; and for other purposes connected therewith.

[16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Crofters Acts applied throughout Scotland.

1. From and after the commencement of this Act, and subject to the provisions thereof, the Crofters Acts shall be read and construed as if the expression "landholder" were substituted for the expression "crofter" occurring therein, and shall have effect throughout Scotland.

Who to be landholders.

2.—(1) In the Crofters Acts and this Act (herein-after referred to collectively as the Landholders Acts) the word "holding" means and includes—

(i) As from the commencement of this Act, every holding which at the commencement of this Act is held by a crofter to whom in respect of such holding the Act of 1886 applies (herein-after referred to as an existing crofter);

(ii) As from the commencement of this Act, and subject as herein-after provided, every holding which at the commencement of this Act is held by a tenant from year to year who resides on or within two miles from the holding, and by himself or his family cultivates the holding with or without hired labour (herein-after referred to as an existing yearly tenant);

(iii) As from the termination of the lease, and subject as herein-after provided, every holding which at the commencement of this Act is held under a lease for a term longer than one year by a tenant who resides on or within two miles from the holding, and by himself or his family cultivates the holding with or without hired labour (such tenant, or his heir or successor, as the case may be, holding under the lease at the termination thereof being herein-after referred to as a qualified leaseholder):

Provided that such tenant from year to year or leaseholder—

(*a*) shall (unless disqualified under section twenty-six of this Act) be held an existing yearly tenant or a qualified leaseholder within the meaning of this section in every case where it is agreed between the landlord and tenant or leaseholder, or in the event of dispute, proved to the satisfaction of the Land Court, that such tenant or leaseholder or his predecessor in the same family has provided or paid for the whole or the greater part of the buildings or other permanent improvements on the holding without receiving from the landlord or any predecessor in title payment or fair consideration therefor; and

(*b*) in every other case shall not be held an existing yearly tenant or a qualified leaseholder within the meaning of this section, but shall (unless disqualified under section twenty-six of this Act) in respect of the holding be subject to the provisions of this Act regarding statutory small tenants;

(iv) As from the date of registration, every holding which is constituted by the registration of an applicant in respect thereof on his application under the provisions of this Act respecting the constitution of new holdings (herein-after referred to as a new holder).

(2) In the Landholders Acts the word "landholder" means and includes, as from the respective dates above mentioned, every existing crofter, every existing yearly tenant, every qualified leaseholder, and every new holder, and the successors of every such person in the holding being his heirs or legatees.

Constitution of Scottish Land Court.

3.—(1) It shall be lawful for His Majesty, on the recommendation of the Secretary for Scotland, as from the commencement of this Act, and from time to time as vacancies occur, to appoint not more than five persons, to be designated the Scottish Land Court (in this Act referred to as the Land Court) and to appoint one of such persons to be Chairman of the Court.

(2) The Chairman shall be a person who at the date of his appointment shall be an advocate of the Scottish bar of not less than ten years' standing, and shall forthwith on his appointment have the same rank and tenure of office as if he had been appointed a Judge of the Court of Session.

(3) One of the said persons shall be a person who can speak the Gaelic language.

(4) It shall be lawful for the Secretary for Scotland to remove any member of the Land Court (other than the Chairman) for inability or misbehaviour. Every order of removal shall state the reasons for which it is made, and no such order shall come into operation until it has lain before both Houses of Parliament for not less than thirty days while Parliament is sitting, nor if either House passes a resolution objecting to it.

(5) If and when the Chairman is temporarily unable to attend, or his office is vacant, the Secretary for Scotland may appoint to act temporarily in his place any person having the qualification required for holding the office of Chairman and the person so appointed shall, during such inability or vacancy, have the same powers and perform the same duties as if he were the Chairman.

(6) The Secretary for Scotland shall from time to time appoint a fit person to act as principal clerk to the Land Court.

(7) The Land Court may appoint or employ such assessors, surveyors, law agents, valuers, clerks, messengers, and other persons required for the due performance of their duties, as the Treasury, on the recommendation of the Secretary for Scotland, may sanction.

(8) Any Crofters Commissioner or officer of the Crofters Commission in office at the commencement of this Act, who may not be appointed a member or an officer of the Land Court, shall receive such compensation as the Treasury may determine.

(9) There shall be paid to the Chairman of the Land Court a salary not exceeding two thousand pounds a year, and to each of the other members a salary not exceeding twelve hundred pounds a year, and such salaries shall be charged on and paid out of the Consolidated Fund of the United Kingdom, or the growing produce thereof. The Chairman shall have the same right to a retiring annuity proportionate to his salary, subject to the like conditions and incidents as if he had been appointed a judge of the Court of Session, and every such annuity shall be charged and paid as aforesaid.

(10) There shall be paid to each of the other persons appointed or employed under this section such salary or remuneration as the Treasury may sanction; and all such salaries and remuneration and the expenses of the Land Court incurred in the execution

of their duties, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament.

(11) The Land Court shall submit such estimates and keep such accounts of their receipts and expenditure, and their accounts shall be audited in accordance with such regulations, as the Treasury may direct.

(12) It shall be lawful for the Land Court from time to time to make rules for conducting the business of the Court.

Constitution of Board of Agriculture for Scotland.

4.—(1) It shall be lawful for His Majesty, on the recommendation of the Secretary for Scotland as from the commencement of this Act, and from time to time as vacancies occur, to appoint not more than three persons to be designated the Board of Agriculture for Scotland (in this Act referred to as the Board) and to appoint one of such persons to be Chairman of the Board. Any act or thing required or authorised to be done by the Board may be done by any one or more of the members thereof as the Secretary for Scotland may from time to time direct. Provided that all deeds, writs, and documents to be signed or executed by or on behalf of the Board may be signed or executed by any one of the members thereof and the secretary to the Board. The Board may sue or be sued under the designation aforesaid, and service on them of all legal processes and notices shall be effected by service on their secretary.

(2) The Board shall be charged with the general duty of promoting the interests of agriculture, forestry, and other rural industries in Scotland, and shall also exercise and perform any powers and duties which are or may be conferred on or transferred to them under the provisions of this Act. In the discharge of their duties they shall comply with such instructions or regulations as may from time to time be issued by the Secretary for Scotland, and they shall submit an annual report of their proceedings to him, which report shall be laid before both Houses of Parliament.

(3) The Board may undertake the collection and preparation of statistics relating to agriculture, forestry, and other rural industries, and may make or aid in making such inquiries, experiments, and research, and collect or aid in collecting such information relating thereto as they think advisable.

(4) It shall be the duty of the Board to promote, aid, and develop instruction in agriculture, forestry, and other rural industries.

(5) The Board shall take such steps as they think proper for the promotion and development of agricultural organisation and co-operation.

(6) Without prejudice to the provisions of the immediately preceding subsections, such one of the members of the Board as the Secretary for Scotland shall from time to time appoint shall be designated the Commissioner for Small Holdings and shall be specially charged with the duties herein-after committed to him.

(7) The Secretary for Scotland shall from time to time appoint a fit person to act as secretary to the Board.

(8) The members of the Board shall hold office during His Majesty's pleasure. The Board may, subject to the approval of the Secretary for Scotland, appoint or employ such officers, clerks, and other persons as the Treasury may sanction.

(9) The members of the Board and other persons appointed or employed under this section shall respectively receive such salary or remuneration as the Treasury may sanction, and all such salaries or remuneration and the expenses of the Board incurred in the execution of their duties, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament.

(10) The Board shall submit such estimates and keep such accounts of their receipts and expenditure, and their accounts shall be audited in accordance with such regulations as the Treasury may direct.

(11) The powers and duties of the Board of Agriculture and Fisheries exerciseable in or in relation to Scotland, under the enactments specified in the First Schedule to this Act or under any local Act, shall be transferred to the Board, or, in the case of the powers and duties of any officer, to such member or officer of the Board as the Board nominate for the purpose.

(12) Subject as herein-after provided, it shall be lawful for His Majesty in Council by Order, made after consultation with the Board of Agriculture and Fisheries and the Secretary for Scotland and with the consent of the Treasury, to transfer to the Board any powers and duties of the Board of Agriculture and Fisheries exerciseable in or in relation to Scotland which are not transferred by this Act and to make any adjustment consequential on any transfer by or under this section, and to provide for any matter necessary or proper for giving full effect to any such transfer.

(13) Before any such Order is made, the draft thereof shall be laid before each House of Parliament for not less than two months while Parliament is sitting, and, if either House, before the expiration of such period of two months, presents an address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft order.

(14) Nothing in this section shall transfer or authorise the transfer of any powers or duties under the Survey Act, 1870, or any powers or duties exerciseable under the Diseases of Animals Act, 1894, or any enactment amending or extending the same.

33 & 34 Vict. c. 13.

57 & 58 Vict. c. 57.

Moneys placed at disposal of Board of Agriculture.

5. The following moneys shall be placed at the disposal of the Board for the purposes herein-after specified:—

(*a*) The annual sum of fifteen thousand pounds available under subsection two of section four of the Agricultural Rates, Congested Districts, and Burgh Land Tax

59 & 60 Vict. c. 37.

Relief (Scotland) Act, 1896, during the continuance of that Act; and

(*b*) Any sums not exceeding one hundred and eighty-five thousand pounds annually voted by Parliament for the said purposes.

The said moneys shall in the financial year commencing on the first day of April nineteen hundred and twelve, and in any subsequent financial year, be paid into one fund hereby constituted under the name of the Agriculture (Scotland) Fund.

Any sum standing to the credit of the Congested Districts (Scotland) Fund at the commencement of this Act, and any sums required by the provisions of any Act to be carried to the Congested Districts (Scotland) Fund, shall, at and after the commencement of this Act, be carried to the Agriculture (Scotland) Fund.

Application of moneys.

6. The Agriculture (Scotland) Fund shall be applied for the following purposes, that is to say, for the purpose of facilitating the constitution of new landholders' holdings, the enlargement of landholders' holdings, and the improvement and rebuilding of dwelling-houses or other buildings of landholders and cottars in terms of the Landholders Acts or the Congested Districts (Scotland) Act, 1897, and for the purpose of exercising the other powers and duties conferred on or transferred to the Board under the provisions of this Act, in accordance with schemes to be approved by the Secretary for Scotland.

60 & 61 Vict. c. 53.

Powers to facilitate the constitution of new holdings.

7.—(1) It shall be lawful for the landlord of any land and any other person to agree that in respect of such land such person may apply to the Land Court to be registered as a new holder under this Act, and such person may thereupon apply accordingly, and subject to the provisions of this Act may be so registered.

(2) It shall be the duty of the Commissioner for Small Holdings to report from time to time to the Board, after due inquiry, what demand for small holdings exists in any district, and after consultation (where practicable) with the landlord or landlords what land (if any) is available to meet that demand, without causing undue displacement of farm servants presently employed on or about such land, under what conditions such land is cultivated, and what employment it affords.

(3) Where the Commissioner for Small Holdings is satisfied that there is a demand for small holdings and that suitable land exists, it shall be his duty to negotiate with the landlords of such land with a view to the adjustment of a scheme for the registration by agreement of any one or more new holders in respect of such land.

(4) Failing agreement, such land may, otherwise than by agreement, be made available for the registration of new holders in the manner and subject to the conditions herein-after prescribed.

(5) In proceeding under this section, the Board shall take steps to ascertain what land is falling or is about to fall out of lease where the present tenant is not an offerer, and shall preferably select such land (if otherwise suitable) for the constitution of new holdings otherwise than by agreement.

(6) Where a new holder is registered under this section by agreement, the rent agreed between the landlord and the new holder shall not, if the same shall have been agreed upon for a specified period, be altered by the Land Court during such period, and shall not in any case be altered by the Land Court for a period of seven years from the term at which it first becomes payable.

(7) Where, with a view to, or as incidental to, the registration of a new holder or holders in respect of any land, whether by agreement or otherwise, the Board are of opinion, upon consideration of a report by the Commissioner for Small Holdings, that assistance should be provided for the purpose of dividing, fencing, or otherwise preparing or adapting the land, making occupation roads, or executing other works, such as works for the provision of drainage or water supply, or erecting or adapting a dwelling-house or dwelling-houses or other buildings, or for any similar purpose, the Board may provide such assistance by way of loan or (except as regards dwelling-houses or other buildings) by way of gift, and subject to such conditions as they may prescribe. Conditions so prescribed and the provisions for their enforcement or for the case of their violation shall be as effectual as if they were contained in this Act.

(8) Where the Board are of opinion that damage or injury will be done to any tenant in respect that the land forms part or the whole of his tenancy, they shall pay compensation as may be agreed between the Board and such tenant.

(9) Where the Commissioner for Small Holdings reports that the landlord refuses to negotiate, or where, after submitting to the landlord a scheme for the constitution of one or more new holdings on the land, he reports that no agreement can be reached, it shall be lawful for the Board, after due notice and after hearing any party who desires to be heard, to intimate to the landlord and to other parties concerned that it is in the public interest that one or more new holdings should be constituted on the land in accordance with the said scheme, and that they propose to apply to the Land Court to make an order or orders for the constitution of one or more new holdings on the land in accordance with such scheme, to be occupied by new holders, at a fair rent and upon such terms and conditions not inconsistent with the Landholders Acts as the Land Court consider just; and thereafter to apply accordingly.

(10) Before making such an order, the Land Court shall give all parties having a right or interest in the land an opportunity of being heard.

(11) The Land Court shall thereafter determine, with due regard to the provisions of the Landholders Acts, and by order or orders declare—

(*a*) In respect of what land, if any, specified in the scheme, one or more holdings for new holders may respectively be constituted, and up to what date the power to constitute them otherwise than by agreement may be exercised;

(*b*) What is the fair rent for each new holding;

(*c*) What land, if any, specified in the scheme is to be excluded therefrom; and

(*d*) Whatever else may be necessary for the purpose of making the scheme effective and of adjusting the rights of all parties interested in or affected by the proceedings:

Provided that, where the Land Court are of opinion that damage or injury will be done to the letting value of the land to be occupied by a new holder or new holders, or of any farm of which such land forms part, or to any tenant in respect that the land forms part or the whole of his tenancy, or to any landlord either in respect of an obligation to take over sheep stock at a valuation or in respect of any depreciation in the value of the estate of which the land forms part in consequence of and directly attributable to the constitution of the new holding or holdings as proposed, they shall require the Board, in the event of the scheme being proceeded with, to pay compensation to such amount as the Land Court determine after giving parties an opportunity of being heard and, if they so desire, of leading evidence in the matter: Provided always that, where within twenty-one days after the receipt from the Land Court of an order under this subsection a landlord or a tenant, as the case may be, intimates to the Land Court and to the Board that he claims compensation to an amount exceeding three hundred pounds and that he desires to have the question whether damage or injury entitling him to compensation as aforesaid will be done, together with the amount of such compensation (if any), to be settled by arbitration instead of by the Land Court, the same shall be settled accordingly; and, at any time within fourteen days after the said intimation, failing agreement with the Board as to the appointment of an arbiter, it shall be lawful for him to apply to the Lord Ordinary on the Bills for such appointment, and the Lord Ordinary shall, forthwith on receipt of such application, nominate a single arbiter to decide the questions aforesaid, whose award shall be final, and binding on the Board, in the event of the scheme being proceeded with; and, if no final award be given within three months from the date when the arbiter is nominated, the questions aforesaid shall be decided by the Land Court as herein-before provided:

Provided that the Arbitration (Scotland) Act, 1894, shall not apply, and the Second Schedule to the Agricultural Holdings (Scotland) Act, 1908, shall apply to any such arbitration with the exception of paragraphs one, five, ten, eleven, and sixteen thereof, and with the substitution of the Lord Ordinary for the sheriff and the auditor of the Court of Session for the auditor of the Sheriff Court: And provided further that, in the event of the scheme not being proceeded with, the expenses of parties reasonably incurred in connection with the arbitration as the same may be allowed by the auditor of the Court of Session shall be paid by the Board. 57 & 58 Vict. c. 13. 8 Edw. 7. c. 64.

In determining the amount of compensation under any provision of this Act, no additional allowance shall be made on account of the constitution or enlargement of any holding being compulsory.

(12) In or after making such an order, the Land Court (without prejudice to their other powers) may do, provide, or decide anything incidental to or consequential on such an order as if it were an order under section twelve of the Act of 1886, and may, if they think fit, provide for the incorporation with the order, subject to the necessary adaptations, of any provisions of the Lands Clauses Acts which appear to them requisite for carrying the order into effect.

(13) Upon such an order providing for the constitution of one or more new holdings on any land being issued, the Board may proceed to make it effective by entering on the land, carrying out works, and otherwise as may be required (due compensation to such amount as may be agreed or as, in case of dispute, may be determined by the Land Court being made for surface damage), and may negotiate with one or more duly qualified applicants with a view to their registration as new holders in respect of the land.

(14) A new holder shall not be duly qualified for registration otherwise than by agreement who does not satisfy the Board as to his ability to fulfil the obligations incumbent on him.

(15) The Board shall give reasonable consideration to objections stated by a landlord to any applicant for a new holding, and ceteris paribus shall give a preference to applicants preferred by the landlord.

(16) Except by agreement, a new holder shall not be registered—

(*a*) in respect of any land being or forming part of a farm not exceeding one hundred and fifty acres occupied by a person who has no personal interest in any other farm, or, in the case of a farm so occupied which exceeds one hundred and fifty acres but is wholly or mainly pastoral, not exceeding an annual value as entered in the valuation roll of eighty pounds: Provided that nothing herein contained shall operate to prevent the registration otherwise than by agreement of two or more new holders in respect of the whole of such farm, not being a farm wholly or mainly pastoral, where no other land is available in the neighbourhood of any existing village or township; or

(*b*) in respect of any land being or forming part of a farm occupied subject to a lease which was in force at Whitsunday nineteen hundred and eleven, or, in the case of land within the counties specified in section nineteen of the Act of 1886, at Whitsunday nineteen hundred and six, so long as the lease remains in force.

(17) All parties being possessed of lands or any right or interest therein who under the Lands Clauses Acts have power on behalf of themselves or of others to convey and dispose of such lands, or of such rights therein, for the purposes mentioned in those Acts, shall have the like power to enter into any agreement or give any consent for the purposes of this section.

60 & 61 Vict. c. 53.

(18) Notwithstanding anything contained in the Congested Districts (Scotland) Act, 1897, the expression "landlord" in this section includes the Board in respect of any land purchased under that Act and transferred to the Board under the provisions of this Act.

(19) Any member of the Land Court, or the Board, or any person authorised in writing by the Land Court or by the Board, may, for the purposes of the Landholders Acts, enter upon and inspect any lands or buildings at all reasonable hours on any lawful day, after due notice has been given to the owner and occupier of such lands or buildings.

Provisions regulating loans to landholders.

8.—(1) The agreement for any assistance given to a landholder by way of loan under the immediately preceding section shall be recorded in the Landholders Holdings Book, and, as recorded, shall have the effect of transferring to the Board all rights of the landholder and his statutory successors to compensation for permanent improvements up to the amount of any outstanding liability owing to the Board; provided that the amount of such compensation when claimed shall, in such case in the event of dispute, be assessed by the Land Court, and provided further that any amount due to the Board from a landlord under this section may, if the Board on the application of the landlord so determine, be deemed to be a loan to the landlord (secured on the holding and on any buildings thereon) within the meaning of section six of the Congested Districts (Scotland) Act, 1897, to which the provisions of that section shall apply.

(2) In the event of breach by a landholder of the conditions of repayment of any loan under the immediately preceding section, the Land Court may, on the application of the Board, and after consideration of any objections stated by the landlord, make an order for the removal of the landholder from the

holding as if he had broken a statutory condition, and for the assignation of the holding to some one person (being an applicant therefor) subject to such conditions as they see fit, and such person shall thereupon succeed to the holding of the landholder and shall be deemed to be his statutory successor.

(3) All moneys received for payment of interest or repayment of principal or otherwise in respect of any loan made by the Board under the immediately preceding section shall be paid to the fund out of which the loan was made.

(4) The Land Court shall, on the application of the Board or of the landlord or the landholder, append to their order fixing a fair rent for a holding a record specifying the condition of the cultivation of the holding, and of the buildings and other permanent improvements thereon, and by whom such permanent improvements have been executed or paid for.

Loans for buildings.

9. The Board may, where they are of opinion that assistance should be provided for the improvement or rebuilding of dwelling-houses or other buildings of landholders or cottars, provide such assistance by way of loan, subject to the like conditions and incidents as loans made under section seven, and, if made to a landholder, subject to the provisions of section eight of this Act.

Additional statutory conditions.

10. The following conditions are hereby prescribed as statutory conditions additional to or in modification of those prescribed in section one of the Act of 1886:—

(1) The landholder shall, by himself or his family, with or without hired labour, cultivate his holding, without prejudice to the right (which is hereby conferred upon him) to make such use thereof for subsidiary or auxiliary occupations as in case of dispute the Land Court may find to be reasonable and not inconsistent with the cultivation of the holding; provided that the expression "cultivate" in this subsection shall include the use of a holding for horticulture or for any purpose of husbandry, inclusive of the keeping or breeding of live stock, poultry, or bees, and the growth of fruit, vegetables, and the like:

(2) The expression "passing of this Act" in subsection four of section one of the Act of 1886 shall, in the application of that subsection to landholders other than existing crofters and the statutory successors of existing crofters, be construed as meaning the date at which the Landholders Acts first applied to the holding: Provided always that nothing in the said subsection shall be construed as debarring a landholder from subletting his dwelling-house to holiday visitors; and provided further that the provision as to dwelling-houses in the said subsection shall not apply to a new holder, but a new holder and his

statutory successors shall not, without the consent in writing of the landlord and the Board, erect or suffer to be erected on the holding more than one dwelling-house:

(3) Nothing in subsection (7) of section one of the Act of 1886 shall be construed as precluding a landholder from recovering any compensation for damage by game which under section nine of the Agricultural Holdings (Scotland) Act, 1908, is recoverable by a tenant, and the last-mentioned section shall apply accordingly with the substitution of the Land Court for arbitration.

Obligations of new holders under Public Health Act. 60 & 61 Vict. c. 38.

11. Where buildings or other premises within the meaning of the Public Health (Scotland) Act, 1897, have been erected on a holding by or for a new holder, all duties or liabilities imposed on the owner of such premises under any provision relating to the removal or remedy of a nuisance or the provision of a water supply contained in the said Act shall, so long as the landlord receives no rent or other consideration in respect of such buildings or other premises (and failing agreement with the landlord to the contrary), be transferred to and discharged by the landholder, and the said Act shall be read and construed accordingly.

Use by landlord of water rising on a holding.

12. A landlord may, on payment of compensation for any surface damage, use for any estate purpose any springs of water rising on a holding and not required for the use thereof: Provided that any dispute as to the requirements of the holding or the amount of compensation under this section shall be determined by the Land Court; and provided further that nothing herein contained shall be construed as affecting the rights of any persons other than the landlord and the landholder.

Present rent.

13. The rent payable by a landholder as one of the statutory conditions shall be the present rent, that is to say, the yearly rent, including money and any prestations other than money,—

(*a*) In the case of existing crofters, payable for the year current at the passing of the Act of 1886, or, where the rent so payable has been altered in terms of that Act, payable for the year current at the commencement of this Act;

(*b*) In the case of existing yearly tenants, payable for the year current at the commencement of this Act; and

(*c*) In the case of qualified leaseholders or statutory small tenants becoming landholders, and in the case of new holders, and in the case of landholders whose holdings are enlarged, payable or fixed in respect of the last year of the lease or tenancy, or at the date of registration, or at the date of enlargement, as the case may be—

in each case, unless and until the present rent is altered in manner provided by the Landholders Acts.

14. In the case of resumption by a landlord, or in the case of an existing yearly tenant or a qualified leaseholder or statutory small tenant becoming a landholder, the rights of parties interested, so far as affected by the operation of this Act, at the date of resumption or date when such tenant or leaseholder becomes a landholder, as the case may be, shall, in the event of dispute, be adjusted by order of the Land Court, which order they are hereby empowered to pronounce on the application of any party interested. Adjustment of rights by Land Court.

15.—(1) The procedure in connection with applications for registration of new holders under this Act shall be regulated as may be prescribed in rules of the Land Court. Registration of new holders.

(2) Registration of a new holder under this Act shall be constituted by an order of the Land Court granting registration, duly recorded, with the application on which it proceeds, in the Landholders Holdings Book.

16.—(1) The provisions of the Act of 1886, relative to the enlargement of holdings, are hereby extended to an application for enlargement of a holding by a single landholder or two or more landholders, and shall apply in the case of an application by a single landholder as nearly as may be in the same manner and to the same effect as in the case of an application by two or more landholders: Amendment of law as to enlargement of holdings.

Provided that all applications for enlargement under section eleven of the Act of 1886 shall be made to the Board, and subsections (7), (8), (9), (10), (11), (12), (13), (16), (17) and (18) of the section of this Act relative to the constitution of new holdings shall, with the necessary modifications, apply as fully for the purpose of applications for enlargement as for the purpose of the constitution of new holdings; and the expressions "application" and "applicants," where occurring in section twelve or section twenty-one of the Act of 1886, shall be construed as meaning an application from the Board under subsection (9) aforesaid and the persons referred to in such application.

(2) Section thirteen of the Act of 1886 with the exception of subsection (3) (*e*) thereof shall cease to have effect, provided that land shall not be deemed available land for the enlargement of a holding otherwise than by agreement, unless it is land in respect of which a person would be admissible to registration otherwise than by agreement as a new holder under this Act, and, if arable land, unless it lies contiguous or near to land already in the occupancy of the landholder making the application; and provided further that a holding shall not be enlarged so that the rent or acreage thereof shall exceed the rent or acreage competent for a new holding under this Act.

17. Where, by reason of renunciation, removal, failure of a statutory successor, or otherwise, a holding has at any time ceased or is about to cease to be held by a landholder, the landlord shall forthwith intimate the fact in writing to the Amendment of law as to vacant holdings.

Board, and shall not, if the Land Court on their application after hearing the landlord so determine, and during such period and subject to such conditions (which shall include payment of compensation to the landlord by the Board to such amount as may be agreed, or as, in case of dispute, may be determined by the Land Court, in respect of any loss arising out of such determination) as the Land Court may prescribe, be entitled without the consent of the Board to let the holding otherwise than to a neighbouring landholder for the enlargement of his holding, or to a new holder:

Provided that where, under the provisions of the Landholders Acts, the holding was, otherwise than by agreement, constituted as a new holding or enlarged, it shall be the duty of the Land Court, upon an application by the landlord, after hearing the Board, to assess any damage or injury done by the constitution or enlargement of the holding, as the case may be, to the landlord through non-payment of rent in respect of the holding, or depreciation in the letting value of the land comprised in the holding, or through the imposition of liabilities in respect of, or the payment of compensation for, permanent improvements thereon, and to require the Board to pay the landlord compensation in respect of such damage or injury to such amount as the Land Court determine, subject to the like procedure and right of alternative arbitration as provided in subsection (11) of section seven of this Act, but nothing in this proviso contained shall apply to the case of a holding ceasing to be held by a landholder by reason of resumption by the landlord or by reason of the sale of the holding to the landholder.

Amendment of law as to renunciation of holdings.

18. Section seven of the Act of 1886 shall be amended by the insertion at the end thereof of the following words:—

Provided that such notice shall not, without the consent of the Land Court, be effective unless, within two months from the date of notice, the landlord or the landholder intimates the same in writing to the Board, and provided further that, except by agreement with the Board, the landholder shall not, without the like consent, be entitled to renounce his tenancy so long as any liability owing by him to the Board is not wholly discharged.

Declaration of law as to resumption of holdings.

19. Without prejudice to the generality of the power to authorise resumption by the landlord for some reasonable purpose having relation to the good of the holding or of the estate, conferred by section two of the Act of 1886, the feuing of land, or the occupation by a landlord for the purpose of personally residing thereon of a holding, being his only landed estate, or the protection of an ancient monument or other object of historical or archæological interest from destruction or injury, shall respectively be deemed a reasonable purpose as aforesaid.

Amendment of law as to bequest of holdings.

20. Section sixteen of the Act of 1886 is hereby amended by the substitution of "Land Court" for "sheriff" wherever occurring therein, and of the words "two months" for the words "twenty-one days" occurring in subsection (*a*) thereof, and shall be read and construed accordingly with the necessary modifications.

Assignment of holding.

21. In the event of a landholder being unable to work his holding through illness, old age, or infirmity, he may apply to the Land Court for leave to assign his holding to a member of his family, being his wife or any person who, failing nearer heirs, would succeed him in the case of intestacy, and if, after intimation to the landlord and any other party interested, and such hearing or inquiry as the Land Court may consider necessary, it appears to the Land Court that such assignment would be reasonable and proper, it shall be competent to the Land Court to grant such leave on such terms and conditions, if any, as may to them seem fit.

Loss of rights by heir in certain cases.

22. Where, owing to the failure of the landholder to bequeath his tenancy or of the legatee to accept the bequest, the right of the tenancy devolves upon the heir-at-law of the landholder, the landlord may give notice in writing to such heir, if his name and address are known to or can by due diligence be ascertained by the landlord, requiring him to state whether or not he elects to accept the tenancy, and in case such heir shall not, within six weeks after the receipt of such notice, declare that he elects to accept the tenancy, his rights to the tenancy shall pass to the next heir, and the same procedure shall apply: Provided that, if such heir be furth of the United Kingdom, the Land Court may grant such extension of the period herein-before specified as may seem to them to be reasonable. And provided further that, if the name and address of such heir or next heir are not known to, or cannot by due diligence be ascertained by, the landlord, and no application is made by them with regard to the succession to the holding during six months after the death of the last landholder, failure of a statutory successor shall be deemed to have taken place.

Arrears of rent to be set off against compensation for improvements.

23. If a landholder either renounces or is removed from his holding, the landlord shall be entitled to set off all rent due or to become due against any sum found to be due to the landholder or to the Board for improvements made on the holding.

Amendment of law as to regulation of common grazings, &c.

24.—(1) The Land Court may prescribe such regulations as to the exercise of pasture, grazing or other rights held or to be held in common under the Landholders Acts as they think expedient.

(2) The Land Court shall cause any proceeding under the immediately preceding subsection to be intimated to any person or persons, whether landholders or not, using or claiming to use the pasture or grazing or other rights to which the proceeding relates, and shall hear such person or persons on his or their application, and make such inquiry as they may deem necessary, and may make applicable to such person or persons any

regulations prescribed under such proceeding: Provided that such regulations may contain provision for the removal by any person prescribed in the regulations of any stock placed on the common pasture or grazing in contravention of the regulations.

(3) Any person committing a breach of any regulations prescribed under this section or an infringement of any scheme drawn up by the Crofters Commission or the Land Court, as the case may be, under the powers conferred by section twelve of the Act of 1886, shall be liable on conviction before the sheriff under the Summary Jurisdiction Acts to a penalty not exceeding forty shillings, and, in the case of a continuing offence, to a further penalty not exceeding five shillings for each day during which such offence shall have been continued after written warning from the committee or from the Land Court, and any such penalty shall be recoverable by imprisonment in terms of the Summary Jurisdiction Acts.

(4) The Land Court may suspend or remove members of a committee under the Act of 1891 as amended, if satisfied that they are not properly carrying out the regulations respecting a common pasture or grazing, and may appoint or provide for the appointment of other persons (whether landholders or not) in their place. Where those interested in a common pasture or grazing decline to act on such a committee, the Land Court may appoint any person or persons in the neighbourhood, whether landholders or not, with the powers and duties of such a committee. Where the Land Court are satisfied that in lieu of such a committee a grazings constable should be appointed or elected for any township or group of townships or persons interested, they may make provision accordingly, and any regulations making such provision shall be deemed to be regulations prescribed under this section, and the grazings constable may enforce such regulations, and shall be paid by assessment upon those using the pasture or grazing in manner provided by the Land Court, but not in excess of sixpence in the pound of rent.

The words "not being less than three or more than five," occurring in section two of the Act of 1891, are hereby repealed.

(5) The Land Court may, on the application of the landlord, or landlords, or any landholder, and for such period and on such conditions as they consider equitable, apportion a common grazing into separate parts for the exclusive use of the several townships or persons interested, either as arable ground or as pasture, if satisfied that such apportionment is for the good of the estate or estates, and of the holdings or tenancies concerned.

(6) The Land Court may, on the application of the landlord, or landlords, or any landholder, apportion lands held runrig among the holders thereof in such manner as appears to them in the circumstances of each case to be just and expedient.

Jurisdiction of Land Court.

25.—(1) The Land Court shall be a body corporate with a common seal. Judicial notice shall be taken by all courts of justice of the corporate seal of the Land Court, and any order or other instrument purporting to be signed with it shall be received as evidence without further proof. All orders and determinations of the Land Court shall be in writing.

(2) For the purposes of the Landholders Acts, the Land Court shall have full power and jurisdiction to hear and determine all matters, whether of law or fact, and no other court shall review the orders or determinations of the Land Court: Provided that the Land Court may, if they think fit, and shall, on the request of any party, state a special case on any question of law arising in any proceedings pending before them, for the opinion of either Division of the Court of Session, who are hereby authorised finally to determine the same.

(3) The Land Court may, without prejudice to any provision contained in section seven of this Act, ascertain the facts in any case by hearing parties and examining witnesses, or by means of affidavits, or by such other mode of inquiry as they may deem appropriate, and may require the production of all books, papers, plans, and documents relating to the case, and, without prejudice to the provisions of section twenty-four of the Act of 1886, they may summon and examine on oath such witnesses as they think fit to call or allow to appear before them. They may, when sitting in open court, report in writing to the Lord Ordinary on the Bills any person who has been guilty of contempt of court; and the Lord Ordinary may punish such person as if the contempt had been committed in his own court: Provided that, when the Chairman is so sitting, he shall have the same power as the Lord Ordinary to punish contempt of court.

(4) The Land Court may determine the amount of the expenses in any proceedings before the Court and the proportion to be borne by the different parties.

(5) Three members of the Land Court shall be a quorum: Provided that it shall be lawful for the Land Court to delegate such of their powers as they think expedient to any one member or to any two members of the Court, with or without the assistance of one or more land valuers, assessors, or other skilled persons, and from time to time to revoke, alter, or modify any such delegation of powers; but any order or determination arrived at under such delegation shall be subject to review upon appeal by three or more members of the Court (including, where such court of review consists of three members, not more than one member who was a party to such order or determination) sitting together, one of whom shall be the Chairman of the Land Court.

(6) An order of the Land Court may be presented to the sheriff, and the sheriff, if satisfied that the order has been duly recorded, shall pronounce decree in conformity with such order on which execution and diligence shall proceed.

Supplementary provisions and restrictions.

26.—(1) For the purposes of the Landholders Acts, a holding shall be deemed to include any right in pasture or grazing land held or to be held by the tenant or landholder whether alone or in common with others, and the site of any dwelling-house erected or to be erected on the holding or held or to be held therewith, and of any offices or other conveniences connected with such dwelling-house.

(2) A person shall not be admissible to registration as a new holder under this Act in respect of land belonging to more than one landlord, or in respect of more than one holding, and shall not be held an existing yearly tenant or a qualified leaseholder in respect thereof, unless such land or holdings have been worked as one holding.

(3) A person shall not be held an existing yearly tenant or a qualified leaseholder under this Act in respect of—

(*a*) Any land the present rent of which within the meaning of this Act exceeds fifty pounds in money, unless such land (exclusive of any common pasture or grazing held or to be held therewith) does not exceed fifty acres (but without prejudice to the power of the Land Court, in determining from time to time a fair rent, to fix a rent exceeding fifty pounds); or

(*b*) Any land being garden ground only, appurtenant to a house, or any land to which as the site of or as required for the protection of or for access to an ancient monument or other object of historical or archæological interest the Land Court determine that the Landholders Acts should not apply; or

(*c*) Any land within the parliamentary, police, or municipal boundary of any burgh or police burgh; or

(*d*) Any land being a market garden within the meaning of the Agricultural Holdings (Scotland) Act, 1908; or

8 Edw. 7. c. 64.

(*e*) Any land being or forming part of any glebe, or any small holding under the Small Holdings Act, 1892, or any allotment under the Allotments (Scotland) Act, 1892, or the Local Government (Scotland) Act, 1894; or

55 & 56 Vict. c. 31.
55 & 56 Vict. c. 54.
57 & 58 Vict. c. 58.

(*f*) Any land that is not a holding within the meaning of the Agricultural Holdings (Scotland) Act, 1908; or

(*g*) Any land being woodland, or being or forming part of the home farm of any estate, or of any policy or park, or of any pleasure ground or other land used for the amenity or convenience of any residence or farmsteading; or being permanent grass park held for the purposes of a business or calling not primarily agricultural or pastoral, including that of butcher, cattle-dealer, and the like; or

(*h*) Any land bonâ fide held and used for purposes of public recreation; or (*i*) Any land acquired, whether compulsorily or by agreement, for any undertaking of a public nature, under the authority of any Act of Parliament or any order having the force of an Act of Parliament.

(4) A person shall not be admissible to registration as a new holder under this Act in respect of any land referred to in paragraphs (*a*), (*b*), (*c*), (*d*), or (*e*), or, except by agreement, in respect of any land referred to in paragraphs (*g*), (*h*), or (*i*) of the immediately preceding subsection, or in respect of any holding which is not either wholly agricultural or wholly pastoral, or in part agricultural and as to the residue pastoral.

(5) Nothing in this Act shall operate to prevent the registration of a new holder or the enlargement of a holding (whether by agreement or otherwise in either case) in respect of land comprised in a deer forest or otherwise kept or preserved mainly or exclusively for sporting purposes, but subject always to the provisions of section seven and section sixteen of this Act, as the case may be.

(6) Notwithstanding anything contained in subsection (1) of this section, the holding of any existing yearly tenant or qualified leaseholder within the meaning of this Act shall not, for the purposes of the Landholders Acts, be deemed to include any lands or heritages at the commencement of this Act forming part of such holding and occupied by a sub-tenant of such existing yearly tenant or qualified leaseholder, whether paying rent or not.

(7) A person shall not be held an existing yearly tenant or a qualified leaseholder under this Act in respect of a holding referred to in section thirty-three of the Act of 1886, but nothing in that section shall operate to prevent the registration of a new holder by agreement in respect of a holding referred to therein, or the application of the Landholders Acts to such new holder and his statutory successors in respect of the holding. For the word " nor " where last occurring in that section the word " or " is hereby substituted.

(8) The provisions of section two of this Act shall extend to and include joint tenants being existing crofters, existing yearly tenants, or qualified leaseholders; but not more than one person shall be registered as a new holder in respect of any holding, and (without prejudice to the continuance of a joint tenancy through statutory successors) where at any time after the commencement of this Act a holding is held by a single landholder, or a holding which has been held in joint tenancy ceases to be so held, it shall not be competent for more than one person to be a landholder in respect of such holding.

(9) Except so far as may be inconsistent with any express provision of this Act, the tenancy of a landholder under the Landholders Acts shall, in the case of every existing crofter, be deemed to be in all respects a continuance of his tenancy as a

crofter under the Crofters Acts, and all contracts and other deeds and documents shall be read and construed accordingly.

(10) A person shall not be subject to the provisions of this Act regarding statutory small tenants who in terms of this section would be disqualified from being an existing yearly tenant or a qualified leaseholder.

Special provision for the Island of Lewis.

27. In the Island of Lewis, in so far as it lies within the county of Ross and Cromarty, a person shall not be held an existing yearly tenant or qualified leaseholder under this Act in respect of any land the present rent of which within the meaning of this Act exceeds thirty pounds in money, unless such land (exclusive of any common pasture or grazing land held or to be held therewith) does not exceed thirty acres (but without prejudice to the power of the Land Court, in determining from time to time a fair rent, to fix a rent exceeding thirty pounds).

Transfer of powers and duties.

60 & 61 Vict. c. 53.

28.—(1) From and after the commencement of this Act, the Crofters Commission established by section seventeen of the Act of 1886, and the Congested Districts (Scotland) Commissioners established by the Congested Districts (Scotland) Act, 1897, shall cease to exist, and all the powers and duties vested in or imposed on the Crofters Commission by any Act of Parliament in force at such date shall, subject to the provisions of this Act, be vested in, transferred to, and imposed on the Land Court, and all the powers and duties vested in or imposed on the Congested Districts (Scotland) Commissioners by the Congested Districts (Scotland) Act, 1897, shall, subject as aforesaid, be vested in, transferred to, and imposed on the Board, and, except as otherwise provided by this Act, all such powers and duties shall be exercised and performed by the Land Court or the Board, as the case may be, as nearly as may be in like manner and subject to the same conditions, liabilities, and incidents respectively as such powers and duties might before such date have been exercised and performed by such Commission or Commissioners respectively, and, in the construction and for the purposes of any Act of Parliament, contract, order, regulation, decree, award, or other document made, passed, entered into, or executed, or of any action or proceeding raised before such date, the name of the Land Court or the Board, as the case may be, shall be deemed to be substituted for such Commission or Commissioners respectively.

(2) All powers and duties transferred to the Board from the Board of Agriculture and Fisheries by this Act, or any Order in Council made in pursuance thereof, shall be exercised and performed by the Board as nearly as may be in like manner and subject to the same conditions, liabilities, and incidents as such powers and duties might before the date of transfer have been exercised and performed by the Board of Agriculture and Fisheries; and, in the construction and for the purposes of any

Act of Parliament, contract, order, regulation, decree, award, or other document made, passed, entered into, or executed, or of any action or proceeding raised before the date of transfer, but so far only as may be necessary for the exercise of the powers or the discharge of the duties transferred, the name of the Board shall be substituted for the Board of Agriculture and Fisheries.

Transfer of property.

29. All property belonging to, or held in trust for, the Congested Districts (Scotland) Commissioners shall, from and after the commencement of this Act, pass to and vest in and be held in trust for the Board, subject to all debts and liabilities affecting the same, and, subject to the provisions of this Act, shall be held by the Board for the purposes for which it is now held or would have been held if this Act had not passed.

Transfer of officers.

30. Such of the persons employed by the Crofters Commission as the Secretary for Scotland, with the consent of the Treasury, may determine shall, from and after the commencement of this Act, be attached to and be officers of the Land Court, and such of the persons employed by the Congested Districts (Scotland) Commissioners as the Secretary for Scotland, with the consent of the Treasury, may determine, shall, from and after the commencement of this Act, be attached to and be officers of the Board; and (without prejudice to any existing rights) persons so transferred shall thereafter, if in the case of any of such persons the Treasury so determine, be permanent civil servants of the Crown within the meaning of section seventeen of the Superannuation Act, 1859: 22 Vict. c. 26.

Provided that any officer of the Congested Districts (Scotland) Commissioners in office at the commencement of this Act who may not be appointed an officer of the Board shall receive such compensation as the Treasury may determine.

Definitions.

31.—(1) In this Act—

The expression "Act of 1886" means the Crofters Holdings (Scotland) Act, 1886: 49 & 50 Vict. c. 29.

The expression "Act of 1887" means the Crofters Holdings (Scotland) Act, 1887: 50 & 51 Vict. c. 24.

The expression "Act of 1891" means the Crofters Common Grazings Regulation Act, 1891: 54 & 55 Vict. c. 41.

The expression "Act of 1908" means the Crofters Common Grazings Regulation Act, 1908: 8 Edw. 7. c. 50.

The expression "Crofters Acts" means the Act of 1886, the Act of 1887, the Act of 1891, and the Act of 1908:

The expression "statutory successor" means any person who in terms of the Landholders Acts as the case may be has succeeded or may succeed to a holding whether as heir-at-law or legatee of his immediate predecessor being a crofter or landholder in occupation of the holding:

The expression "termination of the lease" means the expiration of the lease through the running out of the stipulated term of endurance or through the parties, or either of them, exercising their right to take advantage of a break stipulated for in the lease or through any agreement between the parties being made, or other circumstances arising whereby the lease is terminated.

59 & 60 Vict. c. 37.

60 & 61 Vict. c. 53.

(2) In the Crofters Acts, the Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896, and the Congested Districts (Scotland) Act, 1897, the expression "holding" shall be substituted for the expression "croft," and the expression "crofting parish" shall be construed as meaning a parish to which the Crofters Acts applied at the commencement of this Act.

(3) In the Act of 1886 (except in the case of references to the passing or the title thereof and except in section thirty-two thereof) the expression "this Act" or "the Act" shall be construed as meaning the Landholders Acts.

(4) In section two of the Act of 1887 the expression "principal Act" where first occurring shall be construed as meaning the Landholders Acts, and the expression "the Crofters Holdings Act, 1886," shall be construed as meaning the Act of 1886 or this Act, as the case may be.

(5) If not inconsistent with the context, references in any Act of Parliament to a crofter shall be construed as references to a landholder within the meaning of this Act.

58 & 59 Vict. c. 41.

(6) Notwithstanding anything contained in this or any other Act the expression "lessee" in section four of the Lands Valuation (Scotland) Amendment Act, 1895, shall include a landholder in the same way and to the same effect as if a landholder were a lessee holding under a lease or agreement, the stipulated duration of which is twenty-one years or under from the date of entry under the same.

Provisions as to statutory small tenants.

32. With respect to statutory small tenants, the following provisions shall have effect:—

(1) A statutory small tenant means and includes a tenant from year to year, or leaseholder, not otherwise disqualified in terms of this Act, in regard to whom section two of this Act provides that he shall not be held an existing yearly tenant or a qualified leaseholder, and the successors of such tenant or leaseholder in the holding, being his heirs, legatees (if within the relationship specified in section sixteen of the Act of 1886), or assignees (if assignation be permitted by the lease):

(2) Except so far as expressly applied by this Act, the Landholders Acts shall not apply to statutory small tenants:

(3) A holding which is or has been held by a statutory small tenant shall not be merged in or amalgamated with any other holding as defined in the Agricultural Holdings (Scotland) Act, 1908, except with the sanction of the Board:

(4) Except in any case where the landlord satisfies the Land Court that there is reasonable ground of objection to a statutory small tenant (herein-after in this section referred to as the tenant) and the Land Court find accordingly, the tenant for the time being shall, notwithstanding any agreement to the contrary, be entitled on any determination of the tenancy to a renewal thereof on the terms and conditions herein-after specified:

(5) Except so far as varied by this section, the Agricultural Holdings (Scotland) Acts, 1908 and 1910, shall apply in the case of the tenancy of a statutory small tenant in the same manner as if the tenancy were a lease, and, for the purposes of those Acts and otherwise, the tenancy, as renewed from time to time, shall be deemed to be a lease current for the period of renewal:

10 Edw. 7. & 1 Geo. 5. c. 30.

(6) Subject to the provisions of the last-mentioned Acts and of this section, the landlord and the tenant may agree upon the terms and conditions of the renewed tenancy:

(7) Failing agreement, the landlord or the tenant may apply to the Land Court to fix an equitable rent, or to fix the period for which the tenancy is to be renewed, and the Land Court may thereafter determine the rent to be paid by the tenant, or the period of renewal, or both, as the case may be.

(8) In determining the rent the Land Court shall, so far as practicable, act on their own knowledge and experience, taking into consideration all the circumstances of the case, holding, and district, including the rent at which the holding has been let, the proposed conditions of the renewed tenancy, the improvements made by the landlord and tenant respectively, and the then condition and value of such improvements; and shall fix as the rent to be paid by the tenant the rent which, in their opinion, would be an equitable rent for the holding between the landlord and the tenant as a willing lessor and a willing lessee: Provided that they shall allow no rent in respect of any improvements made by or at the expense of the tenant or any predecessor in title for which he or his predecessor, as the case may be, has not received payment or fair consideration from the landlord or his predecessor:

(9) Subject as aforesaid, the terms and conditions of the renewed tenancy shall (except so far as agreed to be varied) be those of the determining tenancy, in the same way and to the same effect, as nearly as may be, as if the tenancy had been continued for the full period of renewal under tacit relocation, and the tenant shall be entitled, if he so desires, to a renewal on those terms and conditions:

1 Geo. 5. c. 30. (10) The Agricultural Holdings (Scotland) Acts, 1908 and 1910, as applied by this section, shall be varied as follows (that is to say):—

In the Second Schedule to the Agricultural Holdings (Scotland) Act, 1908, the Land Court shall be substituted for the Board, and where in terms of that schedule a person is nominated as arbiter by the Land Court his remuneration shall be paid by the Land Court:

(11) In the event of the landlord on the renewal of the tenancy failing to provide such buildings as will enable the tenant to cultivate the holding according to the terms of the lease or agreement or at any time failing to maintain the buildings and permanent improvements required for the cultivation and reasonable equipment of the holding, in so far as the tenant is not required at common law or by express agreement in writing to do so, it shall be lawful for the tenant to apply to the Land Court to so find and declare, and, if the Land Court after hearing parties (if they desire to be heard) and after giving the landlord (if he so desires) an opportunity of remedying his failure as aforesaid shall so find and declare, the tenant shall, as from the date specified in the finding, become a landholder, and the definition of landholder in this Act shall include such tenant and his successors in the holding, being his heirs or legatees:

(12) It shall be lawful for the Board to provide model forms of agreements for optional use by landlords and tenants under this section, provided that nothing herein contained shall make the use of any such form compulsory:

(13) In the event of any dispute arising as to whether a person is a statutory small tenant within the meaning of this Act, it shall be competent for the Land Court to determine such question summarily:

(14) Subsection (4) of section six, section twenty, and section twenty-seven of the Act of 1886, section two of the Act of 1887 down to the word "summarily," and subsection (19) of section seven, subsection (4) of section eight, section twelve, section twenty-five, and subsection (1) of section twenty-six of this

Act shall, with the substitution of "statutory small tenant" for "landholder," and "equitable rent" for "fair rent," and with any other necessary modifications, apply for the purposes of this section as they apply for the purposes of the Landholders Acts:

(15) Without prejudice to any agreement between the parties, the Land Court may, on the application of the landlord, and upon being satisfied that he desires to resume the holding or part thereof for building, planting, feuing, or some other reasonable purpose having relation to the good of the holding or the estate (including any purpose specified in section nineteen of this Act), authorise the resumption thereof by the landlord, subject to the payment of the like compensation to the tenant in respect of improvements on or in connection with the land resumed, to which a tenant would be entitled under the Agricultural Holdings (Scotland) Act, 1908, on the determination of his tenancy, and in addition, where part only of the holding is resumed, to such reduction of rent as may be agreed between the parties, or, in case of dispute, determined by the Land Court.

Register of small holdings.

33.—(1) It shall be the duty of the Board to compile and from time to time to revise a register of small holdings (whether held by landholders or statutory small tenants or not) throughout Scotland, in such form and containing such particulars as may be approved by the Secretary for Scotland.

(2) For the purposes of this section, the expression "small holding" means any holding within the meaning of the Agricultural Holdings (Scotland) Act, 1908, which either does not exceed fifty acres, or, if exceeding fifty acres, is of an annual value as entered in the valuation roll not exceeding fifty pounds.

(3) Where a landlord and a tenant agree or the Land Court decide that the tenant is a landholder or a statutory small tenant, as the case may be, within the meaning of this Act, it shall be the duty of such landlord and tenant and of the Land Court to communicate such agreement or decision to the Board for the purposes of the small holdings register: Provided that a person shall not be held a landholder or a statutory small tenant by reason only that he is entered as such on the small holdings register.

Act to apply to Crown land

34. This Act shall apply to lands vested in His Majesty in right of the Crown, and under the management of the Commissioners of Woods to such extent as the Commissioners of Woods may agree, but shall not apply to lands which are held by or on behalf of the Admiralty, War Office, or any other Government Department or which under statutory powers have been acquired, or subjected to servitudes or restrictions for the purposes of the Naval or Military Forces of the Crown.

Small holdings may be constituted outside Act.

35. Nothing in this Act contained shall prejudice or in any way affect the right of any owner of land, at any time after the commencement of this Act, to constitute and equip a small holding, as defined in the section of this Act providing for a register of small holdings, and to let such holding to any person at such rent, for such period, and on such terms and conditions as may be agreed on between them, and none of the provisions of this Act shall, except by the joint consent of such owner and such person, apply to such holding:

Provided that, as regards land comprised in a scheme referred to in an intimation to a landlord made in terms of subsection (9) of section seven of this Act, the said right shall not, while such scheme is under consideration, be exercised without the consent of the Land Court.

Short title and construction.

36. This Act may be cited as the Small Landholders (Scotland) Act, 1911, and shall be read and construed with the Crofters Acts; and the Crofters Acts and this Act may be cited as the Small Landholders (Scotland) Acts, 1886 to 1911.

Extent of Act.

37. This Act shall extend to Scotland only.

Commencement of Act.

38. This Act shall commence on the first day of April nineteen hundred and twelve.

Repeal.

39. The Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule:

Provided that such repeal so far as relating to lighthouses shall not operate so as to preclude the Board from maintaining or from defraying the expense of maintaining any lighthouse at the passing of this Act maintained by or at the expense of the Congested Districts (Scotland) Commissioners, unless and until the expense of such maintenance is by arrangement with the Board (which the Board are hereby empowered to enter into on such terms as may be agreed) undertaken by some other authority.

SCHEDULES.

Section 4.

FIRST SCHEDULE.

The Acts specified in Part II. of the First Schedule to the Board of Agriculture Act, 1889, and any enactment amending or extending the same.

The Sale of Food and Drugs Acts, 1875 to 1907.

The Destructive Insects and Pests Acts, 1877 and 1907.

The Markets and Fairs (Weighing of Cattle) Acts, 1887 and 1891.
The Merchandize Marks (Prosecutions) Act, 1894.
The Light Railways Act, 1896.
The Fertilizers and Feeding Stuffs Act, 1906.
The Agricultural Holdings (Scotland) Acts, 1908 and 1910.
The Housing and Town Planning Act, 1909.
The Development and Road Improvement Funds Acts, 1909 and 1910.

SECOND SCHEDULE.

Section 39.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
49 & 50 Vict. c. 29.	Crofters Holdings (Scotland) Act, 1886.	In section two, the words "for fishermen" and "connected with the fishing industry." In section three, the words "shall forfeit his tenancy and." Section four. In subsection (3) of section six, the words "at the next payment of rent." In section eleven, the words "five or more," the words "to the Crofters Commission," and the word "crofting" wherever that word occurs. In section twelve, the word "crofting." Subsection (1), subsection (2), paragraphs (*a*), (*b*), (*c*), and (*d*) of subsection (3), and subsections (4) and (5) of section thirteen. In section fourteen, the words "for " the purposes of a deer forest, " or of a grouse moor, or for " other sporting purposes." Section seventeen. Section nineteen, from the beginning thereof to the word "aforesaid," and from "who" to "Act." Section twenty-two. Section twenty-three. Section twenty-four, from "and it" to end of section. Section twenty-eight. In section thirty-two, the words "in all or any of the counties to which this Act applies and." In section thirty-four, from "'crofter' means" to "in money at the commencement of this Act"; and from "'holding' means" to "appurtenant to a house"

Session and Chapter.	Short Title.	Extent of Repeal.
50 & 51 Vict. c. 24.	Crofters Holdings (Scotland) Act, 1887.	In section two, the words from "within" to "after the passing of this Act," and from "and they" to "case."
51 & 52 Vict. c. 63.	Crofters Commission (Delegation of Powers) Act, 1888.	The whole Act.
54 & 55 Vict. c. 41.	Crofters Common Grazings Regulation Act, 1891.	In section two, the words "in any "township or townships situated "in a crofting parish or parishes "within the meaning of the "principal Act"; and the words "of the township."
59 & 60 Vict. c. 37.	Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896.	In subsection (2) of section four, the words "for the improvement "of congested districts in the "Highlands and Islands of Scot-"land."
60 & 61 Vict. c. 53.	Congested Districts (Scotland) Act, 1897.	Section one. Section two. Subsections (1) and (2) of section three. In subsection (1) (*d*) of section four, the words "from congested dis-"tricts to other districts in Scot-"land." In subsection (1) (*f*) of section four, the word "lighthouses." Section eight.

CHAPTER 50.

An Act to consolidate and amend the Law relating to Coal Mines and certain other mines.

[16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act.

Application of Act.

1. The mines to which this Act applies are mines of coal, mines of stratified ironstone, mines of shale, and mines of fire-clay; and in this Act the expression "mine," unless the context otherwise requires, means a mine to which this Act applies.

Part I.

Management.

Managers.

Appointment of manager of mine.

2.—(1) Every mine shall be under one manager, who shall be responsible for the control, management, and direction of the mine, and the owner or agent of every mine shall appoint himself or some other person to be the manager of such mine.

(2) If any mine is worked without there being such a manager for the mine as is required by this section, the owner and agent shall each be guilty of an offence against this Act:

Provided that, if the person appointed to be manager of a mine, by reason of death, resignation, or otherwise, ceases to be manager, nothing in this section shall prevent the mine being worked (for a period not exceeding four months) until a new manager is appointed, if in the meantime a competent person holding a first-class or second-class certificate of competency under this Act is temporarily appointed to perform the duties and exercise the powers of manager.

(3) A small mine shall be exempt from the provisions of this section, unless the inspector of the division, by notice in writing served on the owner or agent of the mine, requires that it be under the control of a manager, and in any mine so exempt in which a manager has not been appointed the powers and duties conferred or imposed on the manager shall be exercised and performed by the owner or agent, and anything by or under this Act required to be done by or to the manager shall be done by or to the owner or agent.

(4) The owner or agent of a mine required to be under the control of a manager shall not take any part in the technical management of the mine unless he is qualified to be a manager.

(5) For the purpose of this section, workings having a common system of ventilation or any part of a system of ventilation in common shall be deemed to form part of the same mine.

Daily supervision of mine by manager or under-manager.

3.—(1) In every mine required to be under the control of a manager, daily personal supervision shall be exercised by the manager, and, where an under-manager has been appointed by the owner or agent of the mine, also by that under-manager.

(2) In cases where, on account of the absence of the manager or under-manager on leave or from sickness or any other temporary cause, such daily personal supervision as is required by this section cannot be exercised, arrangements shall be made for the duties of the manager or under-

manager, as the case may be, in respect of daily personal supervision being performed—

(*a*) in the absence of the manager, by the under-manager, if any, or by a person not under the age of twenty-five years and holding a first or second-class certificate of competency under this Act, appointed in writing by the owner or agent;

(*b*) in the absence of the under-manager, in the case of a mine for which a separate under-manager is required by this Act to be appointed, by a person not under the age of twenty-five years and holding a first or second-class certificate of competency under this Act appointed as aforesaid:

And any person performing the duties of a manager or under-manager whether under this or under the last preceding section, shall have the same responsibility, and shall be subject to the same liability, as the person whose duties he is performing.

(3) If in any mine there is a contravention of or non-compliance with the provisions of this section, the mine shall be deemed to be not managed in conformity with this Act.

Limitation of number of mines for which manager may act.

4.—(1) After the first day of January nineteen hundred and thirteen, no person who is the manager of a mine shall, without the approval of the inspector of the division, be the manager of any other mine required to be under the control of a manager, if the aggregate number of persons employed underground in the mine of which he is manager and that other mine exceeds one thousand, or if all the shafts or adits for the time being in use in working the mine of which he is manager and that other mine do not lie within a circle having a radius not exceeding two miles.

(2) Where any person is appointed to be the manager of two or more mines required to be under the control of a manager, a separate under-manager shall be appointed for each mine.

(3) If it appears to the Secretary of State that the personal supervision and control exercised by the manager of any mine are insufficient, by reason of the person who is manager of that mine being also manager of any one or more other mines, the Secretary of State may by order limit the number of such mines for which a person may act as manager.

If the owner, agent, or manager of the mine disputes the reasonableness of the order, the matter shall be settled in manner provided by this Act for settling disputes.

(4) If any person acts in contravention of any such order, or connives at any such contravention, he shall be guilty of an offence against this Act.

Qualifications of managers and under-managers.

5.—(1) A person shall not be qualified to be appointed or to be manager of a mine required to be under the control of a manager, unless he is at least twenty-five years of age and is for the time being registered as the holder of a first-class certificate of competency under this Act.

(2) A person shall not be qualified to be appointed or to be an under-manager of a mine, or manager of a mine which is not required to be under the control of a manager, unless he is for the time being registered as the holder of a first-class or a second-class certificate of competency under this Act.

Notification of name and address of manager, &c.

6. On the appointment in pursuance of this Act of a person to be manager or under-manager of a mine, or to perform temporarily the duties of manager or under-manager, the owner or agent shall send to the inspector of the division notice of the name and address of that person and the number and class of the certificate held by him, and, if he fails to do so, he shall be guilty of an offence under this Act.

Certificates of Competency.

Description of certificates of competency.

7. There shall be two descriptions of certificates of competency under this Act (that is to say,)—

(1) first-class certificates;

(2) second-class certificates.

Constitution of Board for Mining Examinations.

8.—(1) For the purpose of ascertaining the fitness of applicants for certificates of competency under this Act, a Board, to be styled "The Board for Mining Examinations," shall be constituted by the Secretary of State, consisting of—

(*a*) six representatives of owners or agents of mines or managers of mines or mining engineers;

(*b*) six representatives of workmen employed in mines;

(*c*) the chief inspector and two divisional inspectors of mines; and

(*d*) two persons eminent in mining and scientific knowledge.

The members of the Board shall be appointed and may be removed by the Secretary of State, and shall hold office during his pleasure.

(2) The procedure of the Board shall be in accordance with rules made by the Board subject to the approval of the Secretary of State.

(3) The Board shall, at such intervals as the Secretary of State may determine, make to him a report of their proceedings and of such other matters as he may require.

Examinations for certificates.

9.—(1) The Board for Mining Examinations shall hold examinations at such times and in such places as may be fixed by the Board subject to the approval of the Secretary of State.

(2) The Board may, subject to the approval of the Secretary of State, make rules for the conduct of the examinations and the qualifications of applicants for certificates of competency under this Act, and the rules shall amongst other things provide—

(*a*) that the examination and qualifications of applicants for second-class certificates shall be suitable for practical working miners; and (*b*) that no person shall be qualified to be an applicant for a certificate unless he—

(i) is twenty-three years of age or upwards; and

(ii) has had such practical experience in mining (either in the United Kingdom or partly in the United Kingdom and partly elsewhere) as may be required by the rules for a period of not less than five years, or (in the case of an applicant who has received an approved diploma, or has taken an approved degree) of not less than three years; and

(iii) has given satisfactory evidence of his sobriety, experience, and general good conduct; and

(*c*) for the holding, as a part of the examination, of vivâ voce examinations in different localities with a view to the practical knowledge of applicants for certificates in each locality being tested with reference to the local mining conditions, and for requiring at least one of the examiners in every vivâ voce examination to be a person possessing practical acquaintance with those conditions.

(3) The Board may, subject to the consent of the Secretary of State as to number, appoint, remove, and re-appoint examiners to conduct examinations.

(4) A person acting as examiner shall not take any part in the examination of the papers, or in the vivâ voce examination, of any applicant for a certificate whom he has in any way trained or instructed in any of the subjects of the examination.

(5) The remuneration to be paid to the examiners and the fees to be paid by applicants for certificates shall be such as the Secretary of State, with the consent of the Treasury, may determine.

(6) For the purposes of this section, "approved diploma" means a diploma in scientific and mining training after a course of study of at least two years at an institution approved by the Secretary of State, and "approved degree" means a degree of any University approved by the Secretary of State which involves training in and knowledge of scientific and mining subjects; and the approval of the Secretary of State may be given subject to such conditions as he may think fit, and may be revoked by him at any time.

Grant of certificates.

10.—(1) The Secretary of State shall deliver to every applicant who is duly reported by the Board for Mining Examinations to have passed the examination satisfactorily such a certificate of competency as the case requires.

(2) The Secretary of State may deliver such a certificate without examination to an applicant who is the holder of a certificate granted in any British possession or foreign country, if the Board report that the standard of training and examination required for the grant of such a certificate is equivalent to that required for the grant of a corresponding certificate under this Act.

(3) A register of the holders of certificates shall be kept by such person and in such manner as the Secretary of State directs.

Inquiry into competency of holders of certificates.

11.—(1) If at any time representation is made to the Secretary of State by an inspector or otherwise that any person holding a certificate of competency under this Act is, by reason of incompetency or gross negligence or misconduct in the capacity of, or while temporarily performing the duties of, manager or under-manager of a mine, unfit to continue to hold a certificate of competency, or has been convicted of an offence against this Act or any enactment repealed by this Act, the Secretary of State may, if he thinks fit, cause inquiry to be made into the conduct of that person, and with respect to every such inquiry the following provisions shall have effect:—

(*a*) The inquiry shall be public, and shall be held, at such place as the Secretary of State may appoint, by such county court judge, metropolitan police magistrate, stipendiary magistrate, or other person or persons (herein-after in this section referred to as the court) as may be directed by the Secretary of State, and either alone or with the assistance of any assessor or assessors named by the Secretary of State:

(*b*) The Secretary of State shall, before the commencement of the inquiry, furnish to the person into whose conduct inquiry is made a statement of the case on which the inquiry is instituted:

(*c*) The person into whose conduct inquiry is made may attend the inquiry by himself, his counsel, solicitor, or agent, and may, if he thinks fit, be sworn and examined as an ordinary witness in the case:

(*d*) The court shall, on the conclusion of the inquiry, send to the Secretary of State a report containing a full statement of the case, and the opinion of the court thereon, and such report of, or extracts from, the evidence as the court may think fit:

(*e*) The court shall have power to cancel or suspend the certificate of the person into whose conduct inquiry is made, if it finds that he is, by reason of incompetency, or of such gross negligence or misconduct as aforesaid, or of his having been convicted of an offence against this Act or any enactment repealed by this Act, unfit to continue to hold a certificate of competency:

(*f*) The court may require the person into whose conduct inquiry is made to deliver up his certificate. The court shall hold a certificate so delivered until the conclusion of the investigation, and shall then either restore, cancel, or suspend the certificate according to its judgment on the case:

(*g*) The court shall have, for the purpose of the inquiry, all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act, and all the powers of an inspector under this Act, and in addition the following powers:—

(i) power, by summons signed by the court, to require the attendance of all such persons as it thinks fit to summon and examine for the purpose of the inquiry, and for that purpose to require answers or returns to such inquiries as the court thinks fit to make;

(ii) power to require the production of all books, papers, and documents which the court considers important for the purpose of the inquiry:

(*h*) A person attending as a witness before the court shall be allowed such expenses as would be allowed to a witness attending on subpœna before a court of record; and in case of dispute as to the amount to be allowed, the same shall be referred by the court to a master of the Supreme Court, who, on request signed by the court, shall ascertain and certify the proper amount of such expenses.

(2) If any person without reasonable excuse (proof whereof shall lie on him) fails to comply with any summons or requisition of the court, or impedes the court in the execution of its duty, he shall be guilty of an offence against this Act, and a person who is guilty of any such offence shall, in addition to any other fine to which he is liable under this Act, be liable to a fine not exceeding one pound for every day during which the offence continues.

(3) The court may make such order as it thinks fit respecting the costs and expenses of the inquiry, and such order shall, on the application of any party entitled to the benefit thereof, be enforced by any court of summary jurisdiction as if such costs and expenses were a fine imposed by that court.

(4) The Secretary of State may, if he thinks fit, pay to the person or persons constituting the court, including any assessors, such remuneration as he may with the consent of the Treasury determine.

Provisions as to cancellation and suspension of certificates.

12.—(1) Where a certificate of competency under this Act is cancelled or suspended in pursuance of this Act, the Secretary of State shall cause the cancellation or suspension to be recorded in the register of holders of certificates.

(2) The Secretary of State may at any time, if it is shown to him to be just so to do, renew or restore, on such terms as he thinks fit, any certificate which has been cancelled or suspended in pursuance of this Act, and cause the renewal or restoration to be recorded in the register.

Copies of lost certificates.

13. Whenever any person proves to the satisfaction of the Secretary of State that he has, without fault on his part, lost or been deprived of any certificate granted to him under this Act, the Secretary of State shall, on payment of such fee, if any, as he may prescribe, cause a copy of the certificate to which the applicant appears by the register to be entitled, to be made out, and certified by the person who keeps the register, and delivered to the applicant; and any copy which purports to be so made and certified as aforesaid shall have all the effect of the original certificate.

Firemen, Examiners, and Deputies.

Appointment of firemen, examiners, and deputies.

14.—(1) For every mine there shall be appointed by the manager in writing one or more competent persons (herein-after referred to as firemen, examiners or deputies) to make such inspections and carry out such other duties as to the presence of gas, ventilation, state of roof and sides, and general safety (including the checking and recording of the number of persons under his charge) as are required by this Act and the regulations of the mine.

(2) A fireman, examiner, or deputy shall be required to devote his whole time to such duties as aforesaid (herein-after referred to as his statutory duties), but this provision shall not apply in the case of a fireman, examiner, or deputy in—

(*a*) any mine in which the total number of persons employed below ground at one time does not exceed thirty; or

(*b*) any mine in the counties of Durham or Northumberland; or

(*c*) any mine exempted by the inspector of the division on the ground of the special circumstances of the mine;

and nothing in this provision shall prevent any fireman, examiner, or deputy in any mine being employed in measuring the work done by persons in his district, or in firing shots in his district:

Provided that any duties assigned to or undertaken by any fireman, examiner, or deputy in addition to his statutory duties shall not be such as to prevent him carrying out his statutory duties in a thorough manner; and, if any question arises whether any additional duties are such as to prevent him carrying out his statutory duties in a thorough manner, that question shall be decided by the inspector of the division, whose decision shall be final.

(3) The district of a mine assigned to a fireman, examiner, or deputy shall not be of such a size as would prevent him from carrying out in a thorough manner all his statutory duties.

(4) A mine in which there is a contravention of this section shall be deemed not to be managed in conformity with this Act.

Qualifications of firemen, examiners, and deputies.

15.—(1) A person shall not, after the first day of January nineteen hundred and thirteen, be qualified to be appointed or to be a fireman, examiner, or deputy unless he—

(*a*) is the holder of a first or second-class certificate of competency under this Act or is twenty-five years of age or upwards and has had at least five years' practical experience underground in a mine, of which not less than two years have been at the face of the workings of a mine; and

(*b*) has obtained a certificate in the prescribed form from a mining school or other institution or authority approved by the Secretary of State as to his ability to make accurate tests (so far as practicable with a safety lamp) for inflammable gas, and to measure the quantity of air in an air current, and that his hearing is such as to enable him to carry out his duties efficiently; and

(*c*) has, within the preceding five years, obtained from such approved school, institution, or authority as aforesaid, or from a duly qualified medical practitioner, a certificate in the prescribed form to the effect that his eyesight is such as to enable him to make accurate tests for inflammable gas and that his hearing is such as to enable him to carry out his duties efficiently, the expense of obtaining which shall, in the case of a person employed at the time as fireman, examiner, or deputy, be borne by the owner of the mine:

Provided that a person shall not be required to have obtained a certificate as to ability to make tests for inflammable gas or as to eyesight, if he is employed in a mine in which inflammable gas is unknown.

(2) The certificate as to the eyesight and hearing of a fireman, examiner, or deputy employed in a mine shall, whilst he is so employed, be kept at the office at the mine, and, whenever a requisition in that behalf is made by an inspector, produced for his inspection.

Inspections on behalf of Workmen.

Periodical inspection on behalf of workmen.

16.—(1) The workmen employed in a mine may, at their own cost, appoint two of their number or any two persons, not being mining engineers, who are or who have been practical working miners and have had not less than five years' experience of underground work, to inspect the mine, and the persons so appointed shall be allowed once at least in every month, accompanied, if the owner, agent, or manager of the mine thinks fit, by himself or one or more officials of the mine, to go to every part of the mine, and to inspect the shafts, roads, levels, workings, air-ways, ventilating apparatus, old workings, and machinery, and shall, where an accident has occurred in a mine of which notice is required under this Act to be given, be allowed to go together with any person acting as legal adviser to the workmen, or with a mining or electrical engineer selected by the workmen, accompanied as aforesaid, to the place where the accident occurred, and to make such inspection as may be necessary for ascertaining the cause of the accident, subject, however, to the provisions of this Act requiring the place where an accident has occurred to be left as it was immediately after the accident.

(2) Every facility shall be afforded by the owner, agent, and manager and all persons in the mine for the purpose of the inspection, and the manager shall on demand produce to the persons appointed the certificates of all firemen, examiners, or deputies employed in the mine, and the persons appointed shall, except where the inspection is an inspection for the purpose of ascertaining the cause of an accident, forthwith make and sign a full and accurate report of the result of the inspection in a book to be kept at the mine for the purpose; and the owner, agent, or manager shall forthwith cause a true copy of the report to be sent to the inspector of the division.

(3) If the owner, agent, or manager, or any other person refuses or neglects to afford such facilities as aforesaid, or if the manager fails to produce the certificates of the firemen, examiners, or deputies, or if the owner, agent, or manager fails to send a true copy of the report in accordance with this section, he shall be guilty of an offence against this Act.

Returns, Plans, Notices and Books.

Reports by persons having responsible duties.

17.—(1) In addition to the reports specially required by this Act, it shall be the duty of every person on whom responsible duties are imposed with respect to safety or to the condition of the roadways, workings, ventilation, machinery, shafts, shot-firing, safety lamps, electrical plant, or animals at a mine, and who shall be required to do so by the regulations of the mine, to make, at such intervals as may be fixed by the regulations of the mine in a book to be kept at the mine, full and accurate reports of the matters falling within the scope of his duties.

(2) Copies of the reports required to be made under the last preceding section and under the provisions of this Act relating to inspections before commencing work and inspections during shifts shall be posted up at the pit head, not later than ten o'clock in the morning on the day following the day on which the reports are made, and remain posted until ten o'clock in the morning on the following day.

Returns by owner, agent, or manager of mine.

18.—(1) On or before the twenty-first day of January in every year, the owner, agent, or manager of every mine shall send to the inspector of the division a correct return, specifying, with respect to the year ending on the preceding thirty-first day of December—

(*a*) the particulars contained in the form in the First Schedule to this Act, or in such other form as may, from time to time, be prescribed in lieu of that form;

(*b*) such particulars as may be prescribed of all accidents which occurred in or about the mine during the year to which the return relates and disabled, for more than seven days, any person employed in or about the mine from working at his ordinary work;

(*c*) such particulars as may be prescribed as to the supply and maintenance with respect to the mine of appliances for use in rescue work and ambulance appliances, the formation and training of rescue brigades, and the training of men in ambulance work; and

(*d*) such other particulars as the Secretary of State may prescribe by order made in like manner and subject to the like procedure as general regulations under this Act.

(2) Forms for the purpose of the returns required by this section shall, on application, be furnished by the inspector of the division.

(3) The Secretary of State may publish the aggregate results of the returns made under this section with respect to any particular county or inspector's division, or any large portion of a county or inspector's division, and so much of any individual return as does not relate to the quantity or value of mineral gotten, but the portion of any individual return relating to the quantity or value of mineral gotten shall not be published without the consent of the owner of the mine to which it relates; and no person, except an inspector or the Secretary of State or any body of commissioners incorporated by Act of Parliament for the drainage of mines, and authorised to assess and levy rates in respect of minerals gotten from such mines, shall be entitled, without such consent, to see such portion as aforesaid of any individual return.

(4) Every owner, agent, or manager of a mine who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act.

Notices of opening and abandonment of mine.

19. In any of the following cases, namely,

(i) Where any working is commenced for the purpose of opening a new shaft, outlet, or seam of any mine;

(ii) Where a shaft, outlet, or seam of any mine is abandoned or the working thereof discontinued;

(iii) Where the working of a shaft, outlet, or seam of any mine is recommenced after any abandonment or discontinuance for a period exceeding two months; or

(iv) Where any change occurs in the name of any mine, or in the name of the owner or agent of any mine, or in the principal officers of any company which is the owner of a mine;

the owner, agent, or manager of the mine shall give notice thereof to the inspector of the division within two months after the commencement, abandonment, discontinuance, recommencement, or change, and, if such notice is not given, the owner, agent, or manager shall be guilty of an offence against this Act.

Plans of mine and ventilation.

20.—(1) The owner, agent, or manager of every mine shall keep in the office at the mine—

(i) an accurate plan of the workings of the mine, up to a date not more than three months previously, showing—

(*a*) the boundaries of the mine, where possible, and the position of the workings with regard to the surface and variations of level on the roadways from the Ordnance basis, being variations of ten feet or any multiple of ten feet; and

(*b*) the general direction and rate of dip of the strata; and

(*c*) the position, direction, and extent of every known fault of every seam with its vertical throw, and of every known washout and intrusive dyke; and

(*d*) the depth of every shaft; and

(ii) a section of the strata sunk through, or, if that is not reasonably practicable, a section of every seam.

(2) The owner, agent, or manager of every mine shall also keep in the office at the mine a separate plan showing the system of ventilation in the mine, and in particular the general direction of the currents, the points where the quantity of air is measured, and the principal devices for the regulation and distribution of the air, and on every such plan the intake airways shall be coloured blue and the return airways red.

(3) Every such plan must be on a scale of not less than forty inches to the mile, and must be prepared by or under the supervision of a surveyor possessing the prescribed qualifications, and shall be of a durable character:

Provided that, in the case of a mine opened before the passing of this Act, it shall be sufficient if the scale of the plan is not less than the Ordnance scale of twenty-five inches to the mile.

(4) The owner, agent, or manager of the mine shall, on request at any time of an inspector, produce to him at the office at the mine such plans and section, and shall also, on the like request, mark on such plans the then state of the workings of the mine as respects the particulars required to be shown on the plan under subsection (1) of this section; and the inspector shall be entitled to examine the plans and section, and, for official purposes only, to make a copy of any part thereof.

(5) If the owner, agent, or manager of any mine fails to keep, or wilfully refuses to produce or allow to be examined or copied, any such plan or section, or wilfully withholds any portion thereof, or wilfully refuses, on request, to mark thereon the state of the workings of the mine, or conceals any part of those workings, or produces an imperfect or inaccurate plan or section, he shall (unless he shows that he was ignorant of

the concealment, imperfection, or inaccuracy) be guilty of an offence against this Act.

Further, the inspector may, by notice in writing (whether a penalty for the offence has or has not been inflicted), require the owner, agent, or manager to cause an accurate plan and section, showing the particulars herein-before required, to be made within a reasonable time at the expense of the owner of the mine in accordance with the provisions herein-before contained, and, if the owner, agent, or manager fails, within twenty days after the requisition of the inspector or within such further time as may be allowed by the Secretary of State, to cause such plan and section to be made as hereby required, he shall be guilty of an offence against this Act.

Plans of abandoned mines.

21.—(1) Where any mine or seam is abandoned, the person who is owner of the mine or seam at the time of its abandonment shall, within three months after the abandonment, send to the Secretary of State:

(i) An accurate plan of the mine or seam showing—

(*a*) the boundaries of the workings of the mine or seam, including not only the working faces but also all headings in advance thereof, up to the time of the abandonment;

(*b*) the pillars of coal or other mineral remaining unworked;

(*c*) the position, direction, and extent of every known fault of every seam in the mine or of the seam, as the case may be, with its vertical throw and of every known washout and intrusive dyke;

(*d*) the position of the workings with regard to the surface;

(*e*) the general direction and rate of dip of the strata; and

(*f*) the depth of every shaft or, in the case of an abandoned seam, the depth of every shaft from the surface to that seam; and

(ii) A section of the strata sunk through, or, if that is not reasonably practicable, a section of every seam in the mine or of the seam, as the case may be.

(2) Every such plan must be on a scale of not less than that of the Ordnance Survey of twenty-five inches to the mile in the case of a mine opened before the passing of this Act, and on a scale of not less than forty inches to the mile in the case of a mine opened after the passing of this Act, and its accuracy must be certified, so far as is reasonably practicable, by a surveyor possessing the prescribed qualifications, and it shall be of a durable character:

Provided that the foregoing requirement as to the scale of the plan shall not apply as respects any workings plotted before the commencement of this Act.

(3) The plan and section shall be preserved under the care of the Secretary of State:

Provided that, if an abandoned mine or seam is re-opened, the owner shall be entitled to have the plan and section returned to him on depositing with the Secretary of State a copy of the plan and section, or of such portions thereof as the Secretary of State may require, certified to be correct by a competent draftsman.

(4) No person except an inspector shall be entitled, without the consent of the owner for the time being of the mine or seam, or a licence of the Secretary of State, to see the plan or section whilst preserved as aforesaid until after the expiration of ten years from the time of the abandonment, but such licence shall not be granted, unless the Secretary of State is satisfied that the inspection of such plan is necessary in the interests of safety.

(5) Where a mine or seam has not been worked for a period of twelve months, it shall be deemed for the purposes of this Act to have been abandoned unless the roadways and workings of the mine or seam are maintained in an accessible condition.

(6) If the owner of a mine or seam fails to comply with this section, he shall be guilty of an offence against this Act.

(7) A complaint or information for an offence under this section may be made or laid at any time within six months after abandonment of the mine or seam, or after service on the owner aforesaid of a notice to comply with the requirements of this section, whichever last happens.

(8) The High Court may, on application by or on behalf of the Secretary of State, make an order requiring any person who has, for the time being, the custody or possession of any plan or section of an abandoned mine or seam to produce it to the Secretary of State for the purpose of inspection or copying.

Returns as to abandonment of mines.

22. Where any mine is abandoned, the person who is owner of the mine at the time of its abandonment shall, within three months of the abandonment, send to the inspector of the division a correct return specifying, with respect to the period which has elapsed since the expiration of the year covered by the last annual return made under this Act, the particulars required in that return, except those required under Parts B. and D. of the First Schedule to this Act; and the provisions of this Act with respect to the said annual return shall apply to the return so sent.

Power of Secretary of State to have new plans prepared.

23. If it appears to the Secretary of State that any plan or section required by this Act to be kept in the office at a mine or to be sent to the Secretary of State is inaccurate, and that in the interests of safety it is desirable to have a new plan or section prepared, he may appoint a surveyor to make such new plan or section, and a surveyor so appointed shall be afforded by the owner, agent, or manager all necessary facilities for the purpose of making such plan or section, and if, on the making of such new plan or section, it appears that the original plan or section was inaccurate in any material particular, the cost of making the new plan or section, or such proportion thereof as the Secretary of State thinks fit, shall be defrayed by the owner of the mine or, as the case may require, the person who was at the time of its abandonment the owner of the mine or seam, and recoverable from him as a debt to the Crown.

Books and copies thereof.

24.—(1) All such books as are by this Act required to be kept at a mine shall be provided by the owner, agent, or manager, and shall be in the prescribed form, and the books, or a correct copy thereof, shall be kept at the office at the mine and any inspector, and any person employed in the mine or anyone having the written authority of any inspector or person so employed, may, at all reasonable times, inspect and take copies of and extracts from any such books; but nothing in this Act shall be construed to impose the obligation of keeping any such book or a copy thereof for more than twelve months after the book has ceased to be used for entries therein under this Act.

(2) Every report required by this Act to be recorded in a book kept at the mine for the purpose shall be submitted to the manager and under-manager, if any, of the mine, or, in the absence of the manager or under-manager, to the person performing the duties of manager or under-manager, as the case may be, in pursuance of the foregoing provisions of this Act, and shall be countersigned by them on the day on which the report is made or the day following.

(3) Any mine in which there is a contravention of or non-compliance with the provisions of this section shall be deemed to be not managed in conformity with this Act.

Miscellaneous.

Division of mine into parts.

25.—(1) Where two or more parts of a mine are worked separately, the owner, agent, or manager of the mine may give notice in writing to that effect to the inspector of the division, and thereupon each such part shall, for all the purposes of this Act, be deemed to be a separate mine:

Provided that, where each of such parts of a mine has not a separate system of ventilation, a mine shall not be so divided, except with the permission of the inspector of the division and subject to such conditions as he may prescribe.

(2) Every notice given under the foregoing provision must specify the points of separation on all roads connecting the different parts of the mine.

(3) If the Secretary of State is of opinion that the division of a mine in pursuance of this section tends to lead to evasion of the provisions of this Act, or otherwise to prevent the carrying of this Act into effect, he may object to the division by notice served on the owner, agent, or manager of the mine; and, if the owner, agent, or manager refuses to acquiesce in such objection, the matter shall be determined in manner provided by this Act for settling disputes.

Fencing in case of abandoned mine.

26.—(1) Where any mine is abandoned or the working thereof discontinued, at whatever time the abandonment or discontinuance occurred, it shall be the duty of the owner thereof, and of every other person interested in the minerals of the mine, to cause the top or entrance of every shaft and outlet to be kept surrounded by a structure of a permanent character sufficient to prevent accidents:

Provided that—

(i) Subject to any contract to the contrary, the owner of the mine shall, as between himself and any other person interested in the minerals of the mine, be liable to carry this section into effect, and to pay any costs, charges and expenses incurred by any other person interested in the minerals of the mine in carrying this section into effect:

(ii) Nothing in this section shall exempt any person from any liability under any other Act, or otherwise.

(2) No person shall be precluded by any agreement or otherwise from doing, or be liable to any injunction, damages, penalty, or forfeiture in respect of, such acts as may be necessary in order to comply with the provisions of this section.

(3) Any shaft or outlet which is not kept surrounded by a structure as required by this section shall be deemed to be a nuisance within the meaning of section ninety-one of the Public Health Act, 1875.

38 & 39 Vict. c. 55.

Special provisions as to mines worked by contractor.

27.—(1) In every mine the materials required for the support of the roofs and sides shall be provided by and at the cost of the owner of the mine, and the firemen, examiners, or deputies and all other officials of the mine shall be appointed, and their wages paid, by the owner, notwithstanding that the mine or any part thereof is worked, or any part of the operations therein is carried on, by a contractor, and no such contractor, nor any person employed by him, shall be appointed to be manager, under-manager, or fireman, examiner, or deputy of the mine.

(2) Where under any contract existing at the passing of this Act the materials required for the support of the roof or sides are to be provided, or the wages of any official are to be paid, by any person other than the owner, the owner may apply to the county court of the district in which the mine is situate, and the court may make such variation in the terms of the contract as appears to the court just and equitable under the circumstances of the case, or in the alternative the court may, at the request of the owner, determine the contract.

(3) Any mine in which there is a contravention of or non-compliance with the provisions of this section shall be deemed to be not managed in conformity with this Act.

Penalty for forgery of, or false declaration as to, certificate.

28. Every person who commits any of the following offences; that is to say,

(1) Forges or counterfeits any certificate of competency or other certificate granted under this Act or any Act repealed by this Act, or any official copy of any such certificate; or

(2) Knowingly utters or uses any such certificate or copy which has been forged or counterfeited or contains any false statement; or

(3) For the purpose of obtaining, for himself or any other person, employment as a manager or under-manager or in any other capacity, or the grant renewal or restoration of any such certificate as aforesaid, or a copy thereof, either

(*a*) makes or gives any declaration, representation, statement, or evidence which is false in any particular; or

(*b*) knowingly utters, produces, or makes use of any such declaration, representation, statement, or evidence, or any document containing the same; or

(4) Knowingly makes any false statement in any report or entry required under this Act to be recorded in a book kept at the mine;

shall be guilty of a misdemeanour, and be liable on conviction to imprisonment, with or without hard labour, for a term not exceeding two years.

PART II.

PROVISIONS AS TO SAFETY.

Ventilation.

Standard of ventilation.

29.—(1) An adequate amount of ventilation shall be constantly produced in every mine to dilute and render harmless inflammable and noxious gases to such an extent that all shafts, roads, levels, stables, and workings of the mine shall be in a fit state for working and passing therein, and in particular that the intake airways up to within one hundred yards of the first working-place at the working-face which the air enters shall be normally kept free from inflammable gas:

Provided always that—

(*a*) an abandoned road or level not used in connexion with the working of the mine shall, if properly fenced off, not be deemed to be a road or level within the meaning of this section; and

(*b*) no person shall be liable in respect of any contravention of or failure to comply with the provisions of this section if he shows that the ventilation was interrupted in consequence of an accident, and that no persons were employed in any part of the mine in which an adequate amount of ventilation was not being produced, except such persons as it was necessary to employ in that part of the mine for the purpose of restoring the ventilation.

(2) In every mine the quantity of air in the main current and in every split and at such points as may be determined by the regulations of the mine shall, at least once in every

month, be measured and entered in a book to be kept for the purpose at the mine.

(3) For the purposes of this section, a place shall not be deemed to be in a fit state for working or passing therein if the air contains either less than nineteen per cent. of oxygen or more than one-and-a-quarter per cent. of carbon dioxide, and an intake airway shall not be deemed to be normally kept free from inflammable gas if the average percentage of inflammable gas found in six samples of air taken by an inspector in the air current in that airway at intervals of not less than a fortnight exceeds one quarter:

Provided that, in case of a mine which is liable to spontaneous combustion of coal, a place shall be deemed to be in a fit state for working or passing therein, notwithstanding that the air contains either less than nineteen per cent. of oxygen or more than one-and-a-quarter per cent. of carbon dioxide, if the mine has been exempted by order of the Secretary of State, and the conditions on which the exemption is granted are complied with.

Classification of mines for purposes of ventilation.

30.—(1) General regulations under this Act shall provide for the classification of mines according to the amount of the inflammable and noxious gases in the main return airway, and the amount of air passing into a mine shall not be less than such amount as may be prescribed by the general regulations as respects mines of the class to which the mine belongs.

(2) The obligation imposed by this section shall be in addition to, and not in substitution for, the obligation to provide an adequate amount of ventilation imposed by the last foregoing section.

Requirements as to the use of certain methods of ventilation.

31.—(1) Where a fire is used for ventilation in any mine, the return air shall be carried off clear of the fire by means of a dumb drift or airway, unless the mine is one in which inflammable gas is unknown.

(2) Where a mechanical contrivance for ventilation is used at any mine, it shall not be placed beneath the surface:

Provided that this provision shall not be construed as preventing mechanical contrivances for ventilation being placed underground either—

(*a*) when such contrivances are auxiliary only and the contrivance whereby the main ventilation is produced is placed on the surface and is capable of producing such amount of ventilation as, in an emergency, would be sufficient for the safety of the persons employed underground; or

(*b*) when such contrivances afford a complete additional system of ventilation, and when a complete ventilating appliance is provided on the surface capable of producing such sufficient amount of ventilation as aforesaid and immediately available for use in the event of accident, and is kept in an effective condition and is used once at least in each week.

(3) After the first day of January, nineteen hundred and thirteen, or such later date as, in view of the circumstances of the mine, may be fixed by the inspector of the division, there shall, in every mine in which a mechanical contrivance for ventilation is used, be provided and maintained in a condition to be put into immediate operation adequate means for reversing the air current.

(4) No fire shall be used below ground for ventilation in any mine or seam newly opened after the passing of this Act, except in the case of a small mine, in which the upcast shaft contains no inflammable material.

Safety Lamps.

Use of safety lamps in certain places.

32.—(1) No lamp or light other than a locked safety lamp shall be allowed or used—

(*a*) in any seam, where the air current in the return airway from any ventilating district in the seam is found normally to contain more than one half per cent. of inflammable gas; or

(*b*) in any seam (except in the main intake airways within two hundred yards from the shaft) in which an explosion of inflammable gas causing any personal injury whatever has occurred within the previous twelve months, unless an exemption is given by the Secretary of State on the ground that, on account of the special character of the mine, the use of safety lamps is not required;

(*c*) in any place in a mine in which there is likely to be any such quantity of inflammable gas as to render the use of naked lights dangerous;

(*d*) in any working near to or approaching a place in which there is likely to be an accumulation of inflammable gas;

(*e*) in any place where the use of safety lamps is required by the regulations of the mine:

Provided that—

(i) subject always to the provisions of this Act and any regulations made thereunder as to the use of electricity in mines, electric lamps, if enclosed in airtight fittings and having the lamp globes hermetically sealed, may be used on main haulage roads or elsewhere within such limits as may be fixed by the regulations of the mine; and

(ii) for the purpose of paragraph (*b*) of this subsection an explosion occurring before the commencement of this Act shall not be taken into account.

(2) Where, in pursuance of this Act or the regulations of the mine, the use of safety lamps has been introduced in any part of a ventilating district, it shall not be lawful to use naked lights in any other part of the same ventilating district situated between the place where such lamps are used and the return

airway, except when the use of safety lamps in that part of the district was introduced as a temporary precaution, and the conditions are not such as to render necessary the introduction of the use of safety lamps throughout the district.

(3) Where, in pursuance of this Act or the regulations of the mine, the use of safety lamps has been introduced otherwise than as a temporary precaution against apprehended danger in any part of a mine, no lamp or light, other than a locked safety lamp, shall subsequently be allowed or used in that part without the sanction of the inspector of the division, which sanction shall not be withheld unreasonably, and any question as to whether such sanction has been unreasonably withheld shall be determined in manner provided by this Act for settling disputes.

(4) The average percentage of inflammable gas found in six samples of air taken by an inspector in the air current in the return airway in the ventilating district at intervals of not less than a fortnight shall, for the purposes of this section, be deemed to be the percentage normally contained in the air.

(5) Where safety lamps are required, in pursuance of this section, to be used in any seam, they shall also be used in any cross-measure drift connected with that seam.

Construction of safety lamps.

33. Wherever safety lamps are required by this Act or the regulations of the mine to be used, no safety lamp shall, after the first day of January nineteen hundred and thirteen be used by any person employed in the mine, unless it is provided by the owner of the mine, and is of a type for the time being approved, as respects the class of mines to which the mine belongs, by the Secretary of State.

Examination of safety lamps

34.—(1) In any mine or part of a mine in which safety lamps are required by this Act or the regulations of the mine to be used—

(i) A safety lamp shall not be used, unless it has, since last in use, been thoroughly examined at the surface by a competent person appointed in writing by the manager for the purpose and found by him in safe working order and securely locked, and a record shall be kept of the men to whom the several lamps are given out:

(ii) A competent person appointed in writing by the manager for the purpose shall also examine every lamp on its being returned, and, if on such an examination any lamp is found to be damaged, he shall record the nature of the damage in a book to be kept at the mine for the purpose, and the damage shall be deemed to have been due to the neglect or default of the person to whom the lamp was given out, unless he proves that the damage was due to no fault of his own and that he immediately gave notice of the damage to the fireman, examiner, or deputy, or some other official of the mine appointed in writing by the manager for the purpose:

(iii) A safety lamp shall not be unlocked except at an appointed lamp station (which shall not be in a return airway) by a competent person appointed in writing by the manager for the purpose, nor, except in the case of electric hand lamps, shall it be relighted except by such a person at an appointed lamp station after examination by him, and no person other than such person as aforesaid shall have in his possession any contrivance for relighting or opening the lock of any safety lamp:

(iv) No part of a safety lamp shall be removed by any person whilst the lamp is in ordinary use.

(2) Where, in any such mine or part of a mine as aforesaid, any damage is caused to a lamp through the neglect or default of the person to whom the lamp was given out, that person shall be guilty of an offence against this Act.

Prohibition against possession of lucifer matches, &c.

35.—(1) In any mine or part of a mine in which safety lamps are required by this Act or the regulations of the mine to be used, no person shall have in his possession any lucifer match nor any apparatus of any kind for producing a light or spark except so far as may be authorised for the purpose of shot firing or relighting lamps by an order made by the Secretary of State, or any cigar, cigarette, pipe, or contrivance for smoking.

(2) The manager of a mine in which, or in any part of which, safety lamps are required by this Act or by the regulations of the mine to be used, shall, for the purpose of ascertaining before the persons employed below ground in the mine or in the part of the mine, as the case may be, commence work whether they have in their possession any lucifer match or such apparatus as aforesaid or cigar, cigarette, pipe, or contrivance for smoking, cause either all those persons, or such of them as may be selected on a system approved by the inspector of the division, to be searched in the prescribed manner after or immediately before entering the mine or that part of the mine.

(3) No person shall search any workmen in pursuance of this section, unless he has previously given an opportunity to some two workmen employed in the mine to search himself, and no lucifer match, or such apparatus as aforesaid, and no cigar, cigarette, pipe, or contrivance for smoking, has been found on him.

(4) Any person who refuses to allow himself to be searched in accordance with the foregoing provision shall be guilty of an offence against this Act, and shall not be allowed to enter the mine, or the part of a mine, as the case may be, and any person who, on being searched is found to have in his possession any of the articles prohibited under this section, shall be guilty of an offence against this Act.

Shafts and Winding.

Requirements as to shafts and outlets.

36.—(1) There must be in every mine at least two shafts or outlets, with which every seam for the time being at work in the mine shall have a communication, so that such shafts or outlets shall afford separate means of ingress and egress available to the persons employed in every such seam, whether the shafts or outlets belong to the same mine or to more than one mine.

(2) Such two shafts or outlets must not at any point be nearer to one another than fifteen yards, and there shall be between them a communication not less than four feet wide and four feet high.

(3) Every part of the mine in which ten or more persons are employed at the same time shall be provided with at least two ways affording means of egress to the surface, and so arranged that, in the event of either becoming impassable at any point, the other will afford means of egress to the surface.

(4) No person shall be precluded by any agreement from doing such acts as may be necessary for complying with the foregoing provisions of this section, or be liable under any contract to any injunction, damages, penalty, or forfeiture for doing such acts as may be necessary in order to comply therewith.

(5) The foregoing provisions of this section shall not apply—

(i) in the case of a new mine or seam being opened—

(*a*) to any working for the purpose of making a communication between two or more shafts or outlets; or

(*b*) to any working for the purpose of searching for or proving minerals;

so long as not more than twenty persons are employed below ground at any one time in the whole of the different seams in connexion with a single shaft or outlet; nor

(ii) to any proved mine, so long as it is exempted by order of the Secretary of State on the ground either—

(*a*) that the quantity of mineral proved is not sufficient to repay the outlay which would be occasioned by sinking or making a second shaft or outlet, or by establishing communication with a second shaft or outlet, in any case where such communication existed and has become unavailable; or

(*b*) that the workings in any seam of the mine have reached the boundary of the property or the extremity of the mineral field of which that seam is a part, and that it is expedient to work away the pillars already formed in course of the ordinary working, notwithstanding that one of the shafts or outlets may be cut off by so working away the pillars of that seam;

and so long as not more than twenty persons are employed below ground at any one time in the whole of the different seams in connexion with a single shaft or outlet; nor

(iii) to any mine—

(*a*) while a shaft is being sunk, or an outlet being made; or (*b*) one of the shafts or outlets of which has become, by reason of some accident, unavailable for the use of the persons employed in the mine;

so long as the mine is exempted by order of the Secretary of State, and as the conditions (if any) annexed to the order of exemption are duly observed.

(6) The foregoing provisions of this section requiring the two shafts or outlets of a mine to be separated by a distance of not less than fifteen yards shall not apply to any mine which is provided with two shafts sunk before the first day of January eighteen hundred and sixty-five, and at that time separated by a distance of less than ten feet, or commenced to be sunk before the first day of January eighteen hundred and eighty-eight, and separated by a distance of ten feet or upwards, but less than fifteen yards.

(7) The foregoing provisions of this section as to the dimensions of the communications between two shafts or outlets shall not apply to any mine or class of mines for the time being exempted therefrom by order of the Secretary of State by reason of the thinness of the seams or other exigencies affecting that mine or class of mines, and so long as the conditions (if any) annexed to the order of exemption are duly observed.

Fencing of shafts and entrances.

37.—(1) Every entrance to any place below ground in a mine which is not in actual use or course of working or extension shall be kept securely fenced across the whole width of the entrance, so as to prevent persons inadvertently entering the same.

(2) The top of every shaft which for the time being is out of use, or used only as a ventilating shaft, shall be kept securely fenced.

(3) The top and bottom of every working, ventilating, or pumping shaft, and all entrances into the workings therefrom, shall be kept securely fenced, but this shall not be taken to forbid the temporary removal of the fence for the purpose of repairs or other operations if proper precautions are used.

Securing of shafts.

38. Every working or pumping shaft and every such shaft in the course of being sunk shall be securely cased or lined, or otherwise made secure.

Option of using downcast shaft.

39. Where of the two shafts communicating with a seam one is a furnace shaft, and both shafts are provided with apparatus in use for raising and lowering persons, every person employed in the seam shall, on giving reasonable notice, have the option of using the downcast shaft.

Provision of winding apparatus.

40.—(1) Proper and separate apparatus for raising or lowering persons to or from the surface, of such a character as may be prescribed by the regulations of the mine, shall be kept at each of the two shafts or outlets required by the foregoing provisions of this Act, and at any other shaft or outlet for the time being in use for the purpose of ingress or egress, and such apparatus, if not in actual use, shall be constantly available for use, and no person shall, except for the purposes of sinking operations or for the purpose of examining or repairing the shafts or outlets or the machinery or appliances therein, or for the purpose of accompanying animals or bulky material which cannot be raised or lowered in a cage, or where a written exemption is given by the inspector of the division, be raised or lowered otherwise than in a cage constructed in accordance with the provisions of this section:

Provided that this subsection shall not apply to any outlet by which persons can walk into or out of the mine otherwise than by ladders.

(2) Where the apparatus ordinarily used for raising or lowering persons to or from the surface is worked by mechanical power it shall, if the shaft is vertical, be provided with a detaching hook, and, if the shaft is more than one hundred yards in depth, shall also be provided with an effective automatic contrivance to prevent overwinding.

The provisions of this subsection shall not apply to any mine or class of mine which is exempted by the Secretary of State on the ground of the special circumstances of the mine or class of mine, and shall come into operation on the first day of July nineteen hundred and thirteen or such later date as, in view of the circumstances of the mine, may be fixed by the inspector of the division.

(3) Guides shall be provided in the case of every working shaft over fifty yards in depth, and, in the case of every shaft in the course of being sunk, over one hundred yards in depth, unless a written exemption is given by the inspector of the division.

(4) Keps for supporting the cage when at rest shall be provided at the surface level where mineral is usually unloaded, but shall not be provided at any intermediate landings in the shaft. The keps provided at the surface level, and also the keps, if any, provided at the bottom of the shaft, shall be used when persons are entering or leaving the cage.

The foregoing requirement as to the provision of keps shall not apply to a system of winding by means of a single rope where the cages are held by the friction of the rope on the winding sheave.

(5) Every winding rope shall be recapped at intervals of not more than six months in accordance with general regulations under this Act, and no winding rope which has been in use for more than three and a half years or which has been spliced shall be used for raising or lowering persons.

(6) Every engine used for raising or lowering persons shall be completely separated by a substantial partition from every other engine used for that purpose at the same time, and from machinery used for any purpose other than for raising or lowering persons, unless a written exemption is given by the inspector of the division.

(7) Every cage shall be provided with catches or other suitable contrivance to prevent tubs falling out, and, if used for lowering or raising persons, shall be covered in completely at the top and closed in at the two sides in a sufficient manner to prevent persons or things from projecting beyond the sides, and shall be provided with suitable gates or other rigid fences and with a rigid hand-bar fixed in a position where it can be easily reached by all persons in the cage.

(8) Rods shall not be used for attaching a cage to the winding rope unless connected with the cage through the medium of an efficient spring.

(9) There shall be on the drum of every apparatus used for lowering or raising persons such flanges or horns, and also, if the drum is conical, such other appliances as shall effectively prevent the rope from slipping.

(10) Where the apparatus used for lowering or raising persons is worked by mechanical power, there shall be provided one or more brakes of sufficient power by themselves to hold the cage when loaded at any point in the shaft, and a proper indicator (in addition to any mark on the rope) showing to the person who works the machine, on a dial or in some sufficient manner, the position of the cage in the shaft and placed in such a position as to be easily seen by him at the same time as the marks on the rope.

If the drum is not on the crank shaft, there shall be an adequate brake on the drum shaft.

(11) No minerals, tubs, timber, or other materials, and no implements or tools other than scientific instruments, shall be raised or lowered whilst persons are being raised or lowered in the same shaft, whether in the same cage or not:

Provided that—

(*a*) this subsection shall not apply in the case of men working in the shafts, or in the case of men accompanying animals or bulky materials which cannot be raised or lowered in a cage; and

(*b*) where a shaft is divided throughout by a substantial partition, each section of the shaft shall, for the purpose of the provisions of this subsection, be deemed to be a separate shaft.

Means of signalling in shafts.

41. Every working shaft and every shaft in the course of being sunk shall, if exceeding twenty-five yards in depth, be provided with some proper means of communicating distinct and definite signals from and to the bottom of the shaft, and from and to every entrance for the time being in use between the surface and the bottom of the shaft, to and from the surface.

Travelling Roads and Haulage.

Provisions as to travelling roads.

42.—(1) For every seam in a mine newly opened after the commencement of this Act and not being a mine exempted from this provision by general regulations under this Act, there shall be provided (except within such distance from the shaft as may be fixed by the regulations of the mine) two main intake airways, which shall be of such size and shall be maintained in such condition as to afford a ready means of ingress to and egress from the workings, and one of which shall not be used for the haulage of coal.

General regulations shall be made under this Act for determining the classes of mines which ought, having regard to their natural condition, to be exempted from the foregoing provision, and those regulations shall also provide for the exemption of any mine in which the number of persons employed underground does not at any one time exceed one hundred or which is naturally wet throughout.

(2) For every seam in a mine newly opened after the commencement of this Act which is exempted by general regulations from the foregoing provisions of this section, and for every seam in a mine opened before the passing of this Act, there shall be provided two main airways, which shall be of such size and shall be maintained in such condition as to afford a ready means of ingress to and egress from the workings.

(3) In the case of every mine or seam newly opened after the commencement of this Act, all stoppings between main intake airways and main return airways and all air-crossings shall so far as practicable be so constructed as not to be liable to be destroyed in the event of an explosion, and general regulations may be made under this Act providing for the manner in which such stoppings and air crossings are to be constructed.

(4) Where, in the case of any mine or seam newly opened after the passing of this Act, the air-current in the main return airway is found normally to contain more than one half per cent. of inflammable gas, that airway shall not (except for the purpose of removing any coal gotten in the operation of enlarging or repairing the airway, or within a distance of three hundred yards from the shaft) be used for the haulage of coal.

For the purpose of this provision, the average percentage of inflammable gas found in six samples of air taken by an inspector in the air-current at intervals of not less than a fortnight shall be deemed to be the percentage normally contained in the air-current.

(5) In the case of every mine newly opened after the commencement of this Act, the main airways, if driven in the same seam, shall be so arranged that they shall not, at any point, except for the purpose of crossing, or within a distance of three hundred yards from the shafts, or such other distance from the shafts as may be fixed by the regulations of the mine, be less than such distances apart as shall be fixed by the regulations of the mine, and the distances from one another of the connexions between the main airways shall not be less than the minimum distance specified in those regulations.

Provisions as to travelling on haulage roads, &c.

43.—(1) On and after the first day of January, nineteen hundred and fourteen, no person, other than an official of the mine or a person employed on the road in connexion with the haulage, or a person engaged in carrying out any repairing work requiring to be carried out forthwith, shall, while the haulage is in motion, travel on foot on any haulage road on which the haulage is worked by gravity or mechanical power, except—

(*a*) Where there is provided on one side of the road a clear space of at least two feet in width between the tubs and that side of the road, and the rate of haulage is not more than ten miles an hour; or

(*b*) Where, in the case of a haulage road in which such a clear space as aforesaid is not provided, the rate of haulage is not more than three miles an hour and the gradient does not exceed one in twelve, or in respect of any part of the road not exceeding one hundred yards in length, one in nine, and the space between the tracks of rail, where there is more than one track, is kept clear of obstructions:

Provided that—

(i) in the case of a haulage road in which such a clear space as aforesaid has been provided, but the space so provided has in some part of it been reduced to a width of less than two feet by reason of some cause over which the owner, agent, or manager of the mine has no control, the foregoing prohibition shall not apply during the time (not exceeding the time reasonably required for the purpose) during which the repairs necessary for restoring the width to two feet are being carried out; and

(ii) the exception herein-before contained as respects haulage roads in which no such clear space as aforesaid is provided shall apply only in the case of mines opened before the commencement of this Act or mines in which the character of the strata makes it unreasonable to require such a clear space to be provided.

If any question arises as to whether the character of the strata in any mine makes it unreasonable to require a clear space to be provided, that question shall be determined in the manner provided by this Act for settling disputes.

(2) Where the haulage is worked by gravity or mechanical power, no person shall be allowed to ride on sets or trains of tubs except—

(*a*) a person travelling on a set or train for the purpose of detaching or attaching tubs from or to the haulage rope, if that set or train is not proceeding at a higher speed than three miles an hour; or

(*b*) men being conveyed, with the written permission of the manager or under-manager, to or from their work at the commencement or end of their employment (including any person in charge of a set or train of tubs on which men are being so conveyed); or

(*c*) the driver of a locomotive.

(3) In all places where sets or trains consisting of three or more tubs are coupled or uncoupled, there shall be a clear space of at least two feet between tubs standing on any rails and the side of the road nearest to those rails:

Provided that—

(*a*) where there are two parallel lines of rails, the foregoing provision shall not apply if there is a clear space of at least three feet between tubs standing on those rails; and

(*b*) where, in the case of any existing mine, compliance with the requirements of this subsection would necessitate the removal of arching or other masonry work, or where, in the case of any mine, sets or trains of tubs are coupled or uncoupled at the face, or at the pass-bye next the face, other provisions for securing safety may be substituted by the regulations of the mine for those requirements.

The provisions of this subsection shall come into operation on the first day of January, nineteen hundred and thirteen:

Provided that this subsection shall not apply to any district in any mine as respects which the Secretary of State is satisfied that it will be worked out within three years from the commencement of this Act.

(4) In measuring any clear space for the purposes of this section, any props or other supports of the roof projecting beyond the side of the road shall be deemed to form part of the side.

Provision of refuge holes.

44.—(1) Every haulage road on which the haulage is worked by gravity or mechanical power, shall be provided with sufficient refuge holes at intervals of not more than ten yards, but, if the gradient does not exceed one in twenty, and either such a clear space as aforesaid is provided or the rate of haulage is not more than three miles an hour, it shall be sufficient if the intervals are not more than twenty yards.

(2) Every haulage road on which the haulage is worked by animal power shall be provided with sufficient refuge holes at intervals of not more than twenty-five yards.

(3) Every refuge hole shall be—

(*a*) as near as may be three feet in width and not less than four feet in depth;

(*b*) not less in height than the height of the haulage road at the point where the hole is, or six feet, whichever is the less;

(*c*) if such a clear space as aforesaid is provided, on the same side of the road as that space;

(*d*) if no such clear space as aforesaid is provided, on the same side of the road as the other refuge holes, or where the road is on a curve, on the outer side of the curve;

(*e*) marked with a distinctive number;

(*f*) if necessary to make it readily visible, constantly kept whitewashed both inside and for a distance of not less than one foot round the aperture;

(*g*) kept clean.

(4) Nothing shall be placed in any refuge hole or across the entrance thereto so as to impede ingress.

(5) Notwithstanding anything in this section, it shall not be necessary to provide refuge holes on any road within twenty-five yards of the working face.

Dimensions of travelling roads.

45.—(1) Every travelling road shall be of adequate height, and, if the height of any such road appears to the inspector of the division to be inadequate, he may require that the height be increased to such extent as he thinks proper, and the manager shall comply with the requisition unless he disputes the reasonableness thereof, in which case the dispute shall be settled in manner provided by this Act for settling disputes.

(2) Every road on which a horse or other animal is used underground or by which it has to pass to get to its work shall be of sufficient dimensions to allow the horse or other animal to pass without rubbing itself or its harness against the roof or sides or the bars or props supporting the roof or sides.

Apparatus on haulage roads.

46.—(1) Every rope used for haulage which is capped shall be recapped at intervals of not more than six months in accordance with general regulations under this Act.

(2) Sufficient and suitable sprags, lockers, or drags shall be provided and used for the purpose of holding a tub or set of tubs—

(*a*) at the top of every incline on which the haulage is worked by gravity;

(*b*) at every place where sets or trains consisting of three or more tubs are coupled or uncoupled;

(*c*) on all roads or parts of roads where the gradient exceeds one in twenty, and the haulage is worked by animal power.

(3) Stop blocks or other similar contrivances shall be provided at the top of every incline on which the haulage, not being endless-rope or endless-chain haulage, is worked by gravity, and at every entrance thereto by which tubs are brought on to the incline.

(4) On every haulage road where mechanical haulage, not being endless-rope or endless-chain haulage, is used, and where the gradient exceeds one in twelve—

(*a*) runaway switches or other suitable contrivances shall be provided where the use thereof is practicable to prevent accidents in the event of a tub running away;

(*b*) there shall be provided and attached to an ascending tub or set of tubs a back-stay or other suitable contrivance for preventing the tub running back;

(c) over-chains, bridle-chains, or other suitable appliances shall be provided to prevent tubs in which persons are being conveyed from becoming disconnected and running away.

47. Every haulage road shall be kept clear as far as possible of pieces of coal and other obstructions. Clearance of haulage roads.

48. Every haulage road on which persons travel and on which the haulage is worked by gravity or mechanical power shall be provided (if exceeding thirty yards in length) with some proper means of communicating distinct and definite signals between all regular stopping places and the ends of the road. Provision of means of signalling.

Support of Roof and Sides.

49. The roof and sides of every travelling road and working place shall be made secure, and a person shall not, unless appointed for the purpose of exploring or repairing, travel on or work in any travelling road or working place which is not so made secure. Securing of roofs and sides.

50.—(1) Where props or props and bars or chocks are used to support the roof at the working face, the roof under which any work of getting coal or filling tubs is carried on shall be systematically and adequately supported, and the props or chocks shall be set at such regular intervals and in such manner as may be specified in the notice herein-after mentioned. Systematic support of roof and sides.

(2) Holing props or sprags shall be set as soon as practicable, and shall be set at such regular intervals and in such manner as may be specified in the notice herein-after mentioned, and shall not be removed until the coal is about to be taken down and before the roof supports (if any) have been advanced in the manner specified in the notice.

(3) In all parts of a roadway in which sets or trains consisting of three or more tubs are coupled or uncoupled, the roof and sides shall be systematically and adequately supported, and in such parts and in all other parts of the roadway the roof or sides of which require to be supported, if props or bars are used as supports, such supports shall be set at such regular intervals and in such manner as may be specified in the notice herein-after mentioned.

(4) The manager shall, by notice, specify the manner in which the supports are to be set and advanced, and the maximum intervals to be observed on roadways between the supports, and at the face—

(a) between each row of props;
(b) between adjacent props in the same row;
(c) between the front row of props and the face;
(d) between the holing props or sprags;
(e) between chocks:

Provided that the interval between holing props or sprags shall in no case exceed six feet.

(5) If the inspector of the division considers that the system of supporting the roof and sides adopted in any part of a mine is unsatisfactory, either by reason of the distances fixed or any of them being excessive or otherwise, he may require the manager to fix some less distance or otherwise modify the system, and the manager shall comply with the requisition unless he disputes the reasonableness thereof, in which case the dispute shall be settled in manner provided by this Act for settling disputes.

(6) This section shall not apply to the mines of stratified ironstone in the Cleveland district or of thick coal in the South Staffordshire district or to mines in any other district as respects which the Secretary of State is satisfied that similar conditions prevail.

(7) Nothing in this section shall prevent a workman from setting supports in his working place at more frequent intervals than those specified in the notice aforesaid, where necessary for safety.

Supply of props and bars.

51. Where the work of erecting the supports of the roof and sides of working places is done by the workmen employed therein, a sufficient supply of timber or other materials suitable for supports shall be kept at or within ten yards of every working place where, in pursuance of this Act, supports are required to be erected, and also at the pass-bye, siding, or other similar place in the mine convenient to the workmen; and it shall be the duty of the firemen, examiners, or deputies to see that such sufficient supply is so kept, and any working place in which such a sufficient supply is not kept shall not be deemed to be safe for the purpose of the provisions of this Act. Sufficient timber or other materials as aforesaid, to enable the firemen, examiners, or deputies to see that the provisions of this section are complied with shall be constantly provided.

Withdrawal and removal of supports.

52.—(1) In any part of a mine where any work is being carried out which necessitates the removal of roof supports, temporary supports shall, in all cases, be set so as to secure the safety of the persons employed.

(2) Props shall not be withdrawn from the waste or goaf or from under a roof which appears to a fireman, examiner, or deputy to be insecure otherwise than by means of a safety contrivance, and it shall be the duty of the firemen, examiners, and deputies to examine all roofs from under which props are about to be withdrawn with a view to determining whether the props ought to be withdrawn by means of a safety contrivance.

Signalling.

Signalling.

53.—(1) The general code of signals in mines shall be such uniform code as may be prescribed by general regulations under this Act.

(2) There shall be in attendance at the top of every shaft by which any persons are about to be lowered into the mine a competent person for the purpose of receiving and transmitting signals, and, as long as persons are in the mine below ground, a competent person shall be in constant attendance for that purpose at the top of the shaft from which such persons are to be raised and, unless all the persons in the mine are officials or persons authorised in writing by the manager to give signals, at every entrance from the workings in which such persons are engaged into the shaft from which persons are raised.

(3) All signals, other than those relating to underground haulage, transmitted to the surface shall be transmitted simultaneously to the engineman and to the persons stationed as aforesaid at the top of the shaft.

Telephonic communication.

54. Such means of telephonic communication between different parts of a mine shall be provided as may be required by the regulations of the mine.

Provisions as to Machinery.

Fencing machinery.

55. Every fly-wheel and all exposed and dangerous parts of the machinery used in or about the mine shall be kept securely fenced.

Boilers.

56.—(1) Every steam boiler used for generating steam in or about a mine must, whether separate or one of a range—

(*a*) have attached to it, a proper safety-valve, and also a proper steam-gauge and water-gauge, to show respectively the pressure of steam and the height of water in each boiler; and

(*b*) be examined thoroughly by a competent person at least once in every fourteen months; and

(*c*) be cleaned out and examined internally, as far as the construction of the boiler will permit, by the person in charge of it once at least in every three months.

(2) Every such boiler, safety-valve, steam-gauge, and water-gauge must be maintained in proper working condition, and all water-gauges shall be adequately protected by a covering or guard unless so constructed as to be equally safe to the persons employed whether so protected or not.

(3) A report of the result of every examination under this section in the prescribed form and containing the prescribed particulars, shall, within fourteen days, be entered into or attached to a book to be kept at the mine for the purpose, and the report shall be signed by the person making the examination, and, if that person is an inspector of a boiler inspecting company or association, by the chief engineer of the company or association.

(4) The foregoing provisions of this section shall not apply to the boiler of any locomotive which belongs to and is used by any railway company.

(5) A steam boiler shall not be placed under ground in any mine after the passing of this Act.

Appointment and duties of engineman.

57.—(1) A competent male person not less than twenty-two years of age shall be appointed in writing by the manager for the purpose of working the machinery which is employed in lowering and raising persons from or to the surface, and a person so appointed for that purpose is in this Act referred to as a winding engineman.

(2) A winding engineman shall attend for the purpose aforesaid during the whole time that any person is below ground in the mine.

(3) After the prescribed date and except as may be provided by general regulations under this Act, a winding engineman shall not be employed for more than eight hours in any one day, and provision shall be made by general regulations for requiring particulars to be recorded in a book kept at the mine with respect to the hours of employment of winding enginemen.

(4) Where on any haulage road the haulage is effected by means of any machinery worked either by mechanical power or by animal or manual labour, the person in charge of such machinery, and, if persons are being conveyed, the person in charge of any part of the machinery, ropes, chains, or tackle connected therewith, must be a competent male person not less than eighteen years of age. The foregoing provision shall not apply in the case of machinery worked by an engine of not more than ten horse-power, and used for the purpose of hauling mineral from the face.

Where the machinery is worked by an animal, the person under whose direction the driver of the animal acts shall for the purposes of this section be deemed to be the person in charge of the machinery.

Restriction on use of internal combustion engines in mines.

58. Except with the permission of the Secretary of State, no internal combustion engine shall be newly introduced underground in any coal mine after the passing of this Act.

Egress from engine rooms, &c.

59. Every steam engine room and boiler gallery and motor room in or about a mine shall be provided with at least two proper means of egress.

Electricity.

Restrictions on the use of electricity.

60.—(1) Electricity shall not be used in any part of a mine where, on account of the risk of explosion of gas or coal dust, the use of electricity would be dangerous to life, and, if the owner of a mine, on being required by an inspector of the division not to use, or to desist from using, electricity in the mine or any part thereof on such ground as aforesaid, refuses to do so, the question as to the application of this section to the mine or part thereof shall be settled in manner provided by this Act for settling disputes.

(2) If at any time in any place in the mine the percentage of inflammable gas in the general body of the air in that place is found to exceed one and a quarter, the electric current shall at once be cut off from all cables and other electrical apparatus in that place, and shall not be switched on again as long as the percentage of inflammable gas exceeds that amount:

Provided that nothing in this subsection shall apply to any telephone or signalling wires or instruments as long as the conditions prescribed with reference to the installation and use of such wires and instruments are complied with, nor to any electric hand-lamps of a type for the time being approved.

(3) When any question under this section is to be settled in the manner provided by this Act for settling disputes, the owner shall, pending the settlement of the question, comply with the requirement of the inspector subject to an appeal to the chief inspector.

(4) The use of electricity in any mine shall be subject to general regulations under this Act.

Explosives.

61.—(1) The Secretary of State may, by order of which notice shall be given in such manner as he may direct, regulate the supply, use, and storage of any explosives at mines or any class of mines, and may, by any such order, prohibit the use of any explosive which appears to him of a kind to be or to be likely to become dangerous in mines or any class of mines, either absolutely or subject to such conditions as may be prescribed by the order. Explosives.

(2) No explosives shall be taken into or used in any mine except explosives provided by the owner, and the price, if any, charged by the owner to the workman for any explosives so provided shall not exceed the actual ×net cost to the owner.

× price plus carriage – Evans v. Gwendraeth anthracite Coll. Co 1913 3 KB 100.

Prevention of Coal Dust.

62. In every mine, unless the floor, roof, and sides of the roads are naturally wet throughout,— Prevention of coal dust.

(1) arrangements shall be made to prevent, as far as practicable, coal dust from the screens entering the downcast shaft; and, in the case of a mine newly opened after the passing of this Act, no plant for the screening or sorting of coal shall be situated within a distance of eighty yards from any downcast shaft unless a written exemption is given by the inspector of the division;

(2) the tubs shall be so constructed and maintained as to prevent, as far as practicable, coal dust escaping through the sides, ends, or floor of the tubs, but any tub which was in use in any mine at the date of the passing of this Act may, notwithstanding that it

is not so constructed, continue to be used in that mine for a period of five years from the said date;

(3) the floor, roof and sides of the roads shall be systematically cleared so as to prevent, as far as practicable, coal dust accumulating;

(4) such systematic steps, either by way of watering or otherwise, as may be laid down by the regulations of the mine shall be taken to prevent explosions of coal dust occurring or being carried along the roads;

(5) the roads shall be examined daily and a report (to be recorded in a book kept at the mine for the purpose) made on their condition as to coal dust and on the steps taken to mitigate danger arising therefrom.

Inspections as to Safety.

Appointment of stations.

63. For the purpose of the inspections before the commencement of work in a shift herein-after mentioned, one or more stations shall be appointed at the entrance to the mine or to different parts of the mine, as the case may require, and no workman shall pass beyond any such station until the part of the mine beyond that station has been examined and reported to be safe in manner herein-after mentioned.

Inspections before commencing work.

64.—(1) The firemen, examiners, or deputies of a mine shall, within such time not exceeding two hours immediately before the commencement of work in a shift as may be fixed by the regulations of the mine, inspect every part of the mine situated beyond the station or each of the stations, and in which workmen are to work or pass during that shift, and all working places in which work is temporarily stopped within any ventilating district in which the men have to work, and shall ascertain the condition thereof so far as the presence of gas, ventilation, roof and sides, and general safety are concerned.

(2) Except in the case of a mine in which inflammable gas is unknown, the inspection shall be made with a locked safety lamp, and no other light shall be used during the inspection.

(3) A full and accurate report specifying whether or not, and where, if any, noxious or inflammable gas was found, and whether or not any, and, if any, what defects in roofs or sides and other sources of danger were observed, shall be recorded without delay in a book to be kept at the mine for the purpose, and accessible to the workmen, and such report shall be signed by, and, so far as the same does not consist of printed matter, shall be in the handwriting of, the person who made the inspection.

(4) For the purpose of the foregoing provisions of this section, two or more shifts succeeding one another so that work is carried on without any interval are to be deemed to be one shift.

65. A similar inspection shall be made twice at least in the course of each shift of all parts of the mine situated beyond the station or each of the stations aforesaid and in which workmen are to work or pass during that shift, but it shall not be necessary to record a report of the first of such inspections in a book: Provided that, in the case of a mine worked by a succession of shifts, no place shall remain uninspected for an interval of more than five hours.

Inspections during shifts.

66. Competent persons appointed by the manager for the purpose, shall—

Examination of machinery.

(*a*) once at least in every twenty-four hours, examine thoroughly the state of the external parts of the machinery, the state of the guides in the shafts, and the state of the head gear, ropes, chains, cages, and other similar appliances of the mine which are in actual use for the purpose of raising or lowering persons in a mine; and

(*b*) once at least in every week, examine thoroughly the state of all other machinery, gear, and other appliances of the mine which are actually in use, whether above ground or below ground; and

(*c*) once at least in every week, examine thoroughly the state of the shafts in which persons are lowered or raised; and

(*d*) once at least in every week, examine thoroughly the state of every airway in the mine;

and shall make a full and accurate report of the result of the examination, and every such report shall be recorded without delay in a book to be kept at the mine for the purpose and accessible to the workmen, and shall be signed by the person who made the examination.

Withdrawal of Workmen.

67.—(1) If at any time it is found by the person for the time being in charge of the mine, or any part thereof, that, by reason of the prevalence of inflammable or noxious gases, or of any cause whatever, the mine or any place in the mine is dangerous, every workman shall be withdrawn from the mine or place found dangerous, and a fireman, examiner, or deputy, or other competent person authorised by the manager or under-manager for the purpose shall inspect the mine or place found dangerous, and, if the danger arises from inflammable gas, shall inspect the mine or place with a locked safety lamp, and in every case shall make a full and accurate report of the condition of the mine or place; and a workman shall not, except in so far as is necessary for inquiring into the cause of danger or for the removal thereof, or for exploration, be readmitted into the mine or place found dangerous,

Withdrawal of workmen in case of danger.

until the same is reported by the fireman, examiner, or deputy not to be dangerous.

(2) For the purposes of this section, a place shall be deemed to be dangerous if the percentage of inflammable gas in the general body of the air in that place is found to be two and a half or upwards, or, if situate in a part of a mine worked with naked lights, one and one quarter or upwards.

(3) Every such report shall be recorded in a separate book which shall be kept at the mine for the purpose, and shall be signed by the person who made the inspection.

(4) If a workman discovers the presence of inflammable gas in his working place, he shall immediately withdraw therefrom and inform the fireman, examiner, or deputy.

Miscellaneous.

Water and bore-holes.

68. Where any working has approached within forty yards of a place containing or likely to contain an accumulation of water or other liquid matter, or of disused workings (not being workings which have been examined and found to be free from accumulations of water or other liquid matter), the working shall not exceed eight feet in width, and there shall be constantly kept extending to a sufficient distance, not being less than five yards, in advance, at least one bore-hole near the centre of the working, and sufficient flank bore-holes on each side at intervals of not more than five yards.

Storage and use of inflammable material below ground.

69.—(1) No oil, grease, canvas, or other highly inflammable material shall be stored below ground in any mine except in a fireproof receptacle or chamber.

(2) In any mine, being a mine newly opened after the passing of this Act and not being a small mine, no inflammable material likely to cause danger from fire to the persons employed below ground shall be used in the construction of the pithead frame or of the roof, if any, over the pithead.

(3) No inflammable material likely to cause danger from fire to the persons employed below ground shall, after the passing of this Act, be used in the construction of any engine-house below ground.

Provision of means for extinguishing fire.

70. At all parts of a mine where timber, grease, or other inflammable material is stored, and at all insets where timber is used for the construction of the staging, and at every pithead, steam-engine room, and boiler gallery in the construction of which timber is used, adequate means of extinguishing fire shall be provided.

Barometer, &c.

71.—(1) A barometer and thermometer shall be placed above ground in a conspicuous position near the entrance to the mine, and a hygrometer shall be placed below ground in a conspicuous position near a shaft or outlet both in the main intake airway and in the main return airway.

(2) The instruments required to be provided under this section shall be read at such intervals and by such persons as may be prescribed by general regulations, and the readings taken at the prescribed intervals shall be entered in a book to be kept at the mine for the purpose.

Wilful damage.

72. No person shall wilfully damage, or without proper authority remove or render useless, any apparatus appliance or thing provided in any mine in compliance with this Act.

Prohibition of inexperienced persons working alone as getters.

73. No person shall be allowed to work as a coal or ironstone getter otherwise than under the supervision of a skilled workman until he has had two years' experience of such work under such supervision, or unless he has been previously employed for two years in or about the face of the workings, nor shall a skilled workman have under his supervision at the same time more than one person who has not had such experience, or been so employed, as aforesaid.

Observance of directions.

74. Every person shall observe such directions with respect to working as may be given to him with a view to comply with this Part of this Act or the regulations of the mine or with a view to safety.

Penalties for non-compliance with provisions as to safety.

75. Any person who contravenes or does not comply with any of the provisions of this Part of this Act shall be guilty of an offence against this Act, and, in the event of any contravention of or non-compliance with any of the provisions of this Part of this Act by any person whomsoever, the owner, agent, and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing those provisions to prevent that contravention or non-compliance.

PART III.

PROVISIONS AS TO HEALTH.

Provision as to sanitary conveniences.

76. General regulations shall be made under this Act with respect to the provision and use of sanitary conveniences in mines, both above and below ground.

Provision of washing and drying accommodation.

77.—(1) Where a majority, ascertained by ballot of two-thirds of the workmen employed in any mine to whom this section applies, represent to the owner of the mine that they desire that accommodation and facilities for taking baths and drying clothes should be provided at the mine and undertake to pay half the cost of the maintenance of the accommodation and facilities to be provided, the owner shall forthwith provide sufficient and suitable accommodation and facilities for such purposes as aforesaid:

Provided that the owner shall not be bound to provide any such accommodation and facilities, if the estimated total cost of maintenance exceeds threepence per week for each workman liable to contribute under this section.

(2) General regulations shall be made under this Act for determining what are sufficient and suitable accommodation and facilities for the purposes of this section, and any such regulations may make different requirements as respects different classes or descriptions of mines.

(3) For the purposes of this section, cost of maintenance includes interest on capital expenditure (not exceeding five per cent. per annum), and if any question arises as to the estimated cost of maintenance that question shall, in accordance with regulations as to procedure and costs to be made by the Secretary of State, be referred to an arbitrator to be agreed upon between the parties, or, in default of agreement as to an arbitrator, to a person appointed by the judge of county courts for the district, or in Scotland by the sheriff of the county, in which the mine is situate, and the decision of the arbitrator or of the person so appointed, as the case may be, shall be final.

(4) Where any such accommodation and facilities have been provided, every workman at the mine to whom this section applies (whether he was or was not employed at the mine at the time when the ballot of the workmen for the purposes of this section was taken) shall be liable to contribute a sum equal to one-half of the cost of maintenance (but not exceeding three halfpence per man per week), and the owner shall be entitled to recover such contributions from the workmen liable to contribute by deduction from their wages, notwithstanding the provisions of any Acts relating to truck or any contract to the contrary:

Provided that the obligation to contribute shall not apply to any workman who is exempted on the ground of health in accordance with the regulations of the mine.

(5) The management of the accommodation and facilities provided under this section shall be under the control of a committee to be established in accordance with the regulations of the mine, and consisting as to one half of members appointed by the owner of the mine and as to the other half of members appointed by the workmen liable to contribute under this section. The powers and duties of the committee in relation to the management of the accommodation and facilities shall be such as may be laid down by general regulations, and the owner of the mine shall not be liable to any penalty as for failure to comply with the provisions of this section in respect of any act performed by the committee in pursuance of their powers or of any failure by the committee to perform any of their duties.

(6) The workmen to whom this section applies are all workmen employed underground, and all workmen engaged on the surface in handling tubs, screening, sorting, or washing coal, or loading coal into wagons.

(7) This section shall not apply to any mine where the total number of the workmen employed at the mine to whom this section applies is less than one hundred, or to any mine held by the owner under a lease of which the unexpired term is less

than ten years or to any mine as respects which the Secretary of State is satisfied that it will be worked out within ten years.

(8) If the owner of any mine fails to comply with the provisions of this section, he shall be guilty of an offence against this Act.

(9) Where a majority, ascertained by ballot of two-thirds of the workmen at a mine, represent to the owner of the mine that they desire that this section should cease to have effect as respects the mine, this section shall, unless the owner by notice affixed at the mine within one month after the receipt by him of the representation declares that he does not assent thereto, cease to have effect accordingly as from a date to be agreed upon between the owner and the workmen.

(10) A fresh representation shall not be made as respects any mine either under subsection (1) or under subsection (9) of this section before the expiration of five years from the date of any previous representation made with respect to that mine.

Use of sprays when drilling silicious rock.

78. A drill worked by mechanical power shall not be used for drilling in ganister hard sandstone or other highly silicious rock, the dust from which is liable to give rise to fibroid phthisis, unless a water jet or spray or other means equally efficient is used to prevent the escape of dust into the air, and, if any person contravenes or fails to comply with the provisions of this section, he shall be guilty of an offence against this Act, and, in the event of any such contravention or non-compliance by any person whomsoever, the owner, agent, and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means to prevent the contravention or non-compliance.

Notification of industrial diseases.

79. Written notice of every case of any disease occurring in a mine and occasioned by the nature of the employment (being a disease specified in an order made by the Secretary of State for the purpose) shall forthwith be sent to the inspector of the division, and the provisions of this Act with respect to the notification of accidents shall apply to any such case in like manner as to any such accident as is mentioned in those provisions:

Provided that a person shall not be liable to any penalty for failing to send notice under this section of any disease so specified, if he proves that he was not aware of the disease having occurred, and that he had taken all reasonable steps for having the occurrence of all such diseases brought to his notice.

PART IV.

PROVISIONS AS TO ACCIDENTS.

Notices of Accidents.

Notices of accidents.

80.—(1) Where, in or about any mine, whether above or below ground, any accident occurs which either—

(i) causes loss of life to any person employed in or about the mine; or

(ii) causes any fracture of the head or of any limb, or any dislocation of a limb, or any other serious personal injury to any person employed in or about the mine; or

(iii) is caused by any explosion of gas or coal dust or any explosive, or by electricity, or by overwinding, or by any other such special cause as the Secretary of State specifies by order, and causes any personal injury whatever to any person employed in or about the mine;

the owner, agent, or manager of the mine shall forthwith send notice in writing of the accident, and of any loss of life or personal injury caused thereby, to the inspector of the division, in such form and accompanied by such particulars as may be prescribed, and, in the case of an accident causing loss of life or serious personal injury, notice in such form and accompanied by such particulars as may be prescribed shall also be sent to the person (if any) nominated by the persons employed at the mine for the purpose of receiving notice under this section on their behalf.

(2) Where loss of life or serious personal injury has immediately resulted from an accident, the place where the accident occurred shall be left as it was immediately after the accident, until the expiration of at least three days after the sending of such notice as aforesaid of such accident, or until the visit of the place by an inspector, whichever first happens, unless compliance with this enactment would tend to increase or continue a danger or would impede the working of the mine.

(3) Where any personal injury, of which notice is required to be sent under this section, results in the death of the person injured, notice in writing of the death shall be sent to the inspector of the division on behalf of a Secretary of State within twenty-four hours after such death comes to the knowledge of the owner, agent, or manager.

(4) Every owner, agent, or manager who fails to act in compliance with this section shall be guilty of an offence against this Act.

Power to extend provisions as to notice of accidents to dangerous occurrences.

81.—(1) If the Secretary of State considers that, by reason of the risk of serious injury to persons employed, it is expedient that notice should be given under this Act in every case of any special class of explosion, fire, collapse of buildings, accidents to machinery or plant, or other occurrences at a mine, the Secretary of State may, by order, extend the provisions of this Act requiring notice of accidents to be given to an inspector to any such class of occurrences, whether personal injury or disablement is caused or not, and, where any such order is made, the provisions of this Act shall have effect as extended by the order.

(2) The Secretary of State may, by any such order, allow the required notice of any occurrence to which the order relates,

instead of being sent forthwith, to be sent within the time limited by the order.

Reports, Investigations, and Inquests.

Special reports of inspectors.

82. Where at any mine an accident has caused loss of life or personal injury to any person, the Secretary of State may, at any time, direct an inspector to make a special report with respect to the accident, and the Secretary of State may cause any such report to be made public at such time and in such manner as he may think fit.

Formal investigation when directed by Secretary of State.

83.—(1) Where it appears to the Secretary of State that a formal investigation of any accident and of its causes and circumstances is expedient, the Secretary of State may direct such investigation to be held, and with respect to any such investigation the following provisions shall have effect:—

(*a*) The Secretary of State may appoint a competent person to hold the investigation, and may appoint any person or persons possessing legal or special knowledge to act as assessor or assessors in holding the investigation:

(*b*) The person or persons so appointed (herein-after called the court) shall hold the investigation in open court, in such manner and under such conditions as the court may think most effectual for ascertaining the causes and circumstances of the accident, and enabling the court to make the report in this section mentioned:

(*c*) The court shall have for the purpose of the investigation all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act, and all the powers of an inspector under this Act, and in addition the following powers:—

(i) power by summons signed by the court, to require the attendance of all such persons as it thinks fit to call before it and examine for the said purpose; and

(ii) power to require the production of all books, papers, and documents which the court considers important for the purposes of the inquiry:

(*d*) Persons attending as witnesses before the court shall be allowed such expenses as would be allowed to witnesses attending before a court of record; and, in case of dispute as to the amount to be allowed, the same shall be referred by the court to a master of the Supreme Court, who on request, signed by the court, shall ascertain and certify the proper amount of the expenses:

(*e*) The court shall make a report to the Secretary of State, stating the causes and circumstances of the accident, and adding any observations which the court thinks right to make, and the Secretary of State shall cause that report to be laid in full before both Houses of Parliament:

(*f*) All expenses incurred in and about an investigation under this section (including the remuneration of any person appointed to act as assessor) shall be deemed to be part of the expenses of the Secretary of State in the execution of this Act.

(2) If any person without reasonable excuse (proof whereof shall lie on him) fails to comply with any summons or requisition of the court, or impedes the court in the execution of its duty, he shall be guilty of an offence against this Act, and a person who is guilty of any such offence shall, in addition to any other fine to which he is liable under this Act, be liable to a fine not exceeding one pound for every day during which the offence continues.

Provisions as to coroners' inquests on deaths from accidents in mines.

84.—(1) Where a coroner holds an inquest on the body of any person whose death may have been caused by any accident of which notice is required by this Act to be given to the inspector of the division, the coroner shall adjourn the inquest, unless an inspector, or some person on behalf of the Secretary of State, is present to watch the proceedings.

(2) The coroner, at least four days before holding the adjourned inquest, shall send to the inspector of the division notice in writing of the time and place of holding the adjourned inquest.

(3) The coroner, before the adjournment, may take evidence to identify the body, and may order the interment thereof.

(4) If an accident has not occasioned the death of more than one person, and the coroner has sent to the inspector of the division notice of the time and place of holding the inquest at such time as to reach the inspector not less than twenty-four hours before the time of holding the same, it shall not be imperative on him to adjourn the inquest in pursuance of this section, if the majority of the jury think it unnecessary so to adjourn.

(5) An inspector shall be at liberty at any such inquest to examine any witness, subject nevertheless to the power of the coroner to disallow any question which, in his opinion, is not relevant or is otherwise not a proper question.

(6) Where evidence is given at an inquest at which an inspector is not present of any neglect as having caused or contributed to the accident, or of any defect in or about the mine appearing to the coroner or jury to require a remedy, the coroner shall send to the inspector of the division notice in writing of such neglect or defect.

(7) Any person having a personal interest in or employed in or about or in the management of the mine in or about which the accident occurred shall not be qualified to serve on the jury empannelled on the inquest; and it shall be the duty of the constable or other officer not to summon any person disqualified under this provision, and it shall be the duty of the coroner not to allow any such person to be sworn or to sit on the jury.

(8) Any relative of any person whose death may have been caused by the accident with respect to which the inquest is being held, and the owner, agent, or manager of, or the fireman, deputy, or examiner of the district in, the mine in which the accident occurred, and any person appointed by the order in writing of the majority of the workmen employed at the said mine, and any person appointed in writing by any association of workmen to which the deceased at the time of his death belonged, or by any association of employers of which the owner is a member, or by any association to which any official of or workman employed in the mine belongs, shall be at liberty to attend and examine any witness, either in person or by his counsel, solicitor, or agent, subject nevertheless to the power of the coroner to disallow any question which, in his opinion, is not relevant or is otherwise not a proper question.

(9) Every person who fails to comply with the provisions of this section shall be guilty of an offence against this Act.

Rescue and Ambulances.

Rescue work and ambulances.

85. General regulations made under this Act may require provision to be made at all mines or any class of mines in regard to all or any of the following matters:—

(*a*) Supply and maintenance of appliances for use in rescue work and formation and training of rescue brigades:

(*b*) Supply and maintenance of ambulance appliances and the training of men in ambulance work.

PART V.

REGULATIONS.

General and Special Regulations.

General regulations.

86.—(1) The Secretary of State may by order make such general regulations for the conduct and guidance of the persons acting in the management of mines or employed in or about mines as may appear best calculated to prevent dangerous accidents and to provide for the safety, health, convenience, and proper discipline of the persons employed in or about mines, and for the care and treatment of horses and other animals used therein, and any such regulations may vary or amend any of the provisions contained in Part II. of, or the Third Schedule to, this Act.

(2) The regulations made under any such order may apply either to all mines or to any specified class or description of mines, and may provide for the exemption of any specified class or description of mines either absolutely or subject to conditions.

(3) The provisions contained in Part I. of the Second Schedule to this Act shall have effect with respect to the procedure for making orders under this section.

(4) An order made under this section shall be laid as soon as possible before both Houses of Parliament, and shall have effect as if enacted in this Act.

(5) An order made under this section may be revoked, altered, or added to by an order made in like manner and subject to the same provisions as the original order.

Special regulations.

87.—(1) Where the inspector of the division, or the owner of, or a majority ascertained by ballot of the workmen employed in, any mine is of opinion that the general regulations for the time being in force with respect to the mine ought in their application to that mine to be supplemented or modified, the inspector or the owner or such majority of workmen may transmit for the approval of the Secretary of State special regulations for the mine.

(2) The provisions set out in Part II. of the Second Schedule to this Act shall have effect with respect to the procedure for obtaining the approval of the Secretary of State.

(3) When special regulations have been approved by the Secretary of State, they shall, as respects that mine, have effect until revoked as if they formed part of the general regulations applicable to the mine.

(4) Where any special regulations are in force with respect to any mine they may be revoked, altered or added to at the instance of the inspector of the division, or of the owner of, or a majority of workmen employed in, the mine in like manner and subject to the same provisions as the original special regulations.

Publication of Abstract of Act and of Regulations.

Publication of abstract of Act and copy of special rules.

88.—(1) For the purpose of making known the provisions of this Act and the regulations of the mine to all persons employed in and about a mine, the prescribed abstract of this Act and a correct copy of all the regulations of the mine shall be published as follows:—

(*a*) The owner, agent, or manager of the mine shall cause a copy of the abstract and a copy of the regulations, with the name of the mine and the name and address of the inspector of the division, and the name of the owner or agent and of the manager, appended thereto, to be posted up in some conspicuous place at or near the mine, where they may be conveniently read or seen by the persons employed; and so often as the same become defaced, obliterated, or destroyed, shall cause them to be renewed with all reasonable despatch:

(*b*) The owner, agent, or manager shall supply gratis to each person employed in or about the mine at the commencement of his employment, and on each occasion when a new abstract is issued or new regulations made, a book containing so much of the abstract and so much of the regulations as the Secretary of State may prescribe as being the parts of the abstract and regulations for the time being in force affecting persons of the class to which the person belongs, and shall also supply, at a price not exceeding one penny, to any such person who applies therefor at the office at which the persons immediately employed by the owner, agent, or manager are paid, a copy of such book:

(*c*) Every copy of the regulations shall be kept distinct from any regulations which depend only on the contract between the employer and employed.

(2) In the event of any non-compliance with the provisions of this section by any person whomsoever, the owner, agent, and manager shall each be guilty of an offence against this Act unless he proves that he had taken all reasonable means, by enforcing to the best of his power the observance of this section, to prevent such non-compliance.

Regulations applicable to mines.

89.—(1) The general regulations applicable to a mine, as supplemented or modified by the special regulations, if any, for the time being in force with respect to the mine shall be the regulations of the mine.

(2) An inspector shall, when required, certify a copy which is shown to his satisfaction to be a true copy of any regulations which for the time being are in force in any mine, and a copy so certified shall be evidence (but not to the exclusion of other proof) that those regulations are the regulations of the mine and of the fact that they are duly made under this Act.

Penalty for breach of regulations.

90. If any person who is bound to observe the regulations of any mine, acts in contravention of or fails to comply with any of them, he shall be guilty of an offence against this Act, and also the owner, agent, and manager of such mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the regulations, to prevent such contravention or non-compliance.

Part VI.

Employment.

Employment of Boys, Girls, and Women.

Prohibition against employment of boys, girls, and women below ground.

91. No boy under the age of fourteen years, and no girl or woman of any age, shall be employed in or allowed to be for the purpose of employment in any mine below ground. Nothing in this section shall apply to any boy who has been lawfully employed in any mine below ground before the passing of this Act.

Employment of boys, girls, and women above ground.

92. With respect to boys, girls, and women employed above ground, in connexion with any mine, the following provisions shall have effect:—

(1) No boy or girl under the age of thirteen years shall be so employed, unless lawfully so employed before the passing of this Act:

(2) No boy or girl of or above the age of thirteen years and no woman shall be so employed for more than fifty-four hours in any one week or more than ten hours in any one day:

(3) No boy, girl, or woman shall be so employed between the hours of nine at night and five on the following morning, nor on Sunday, nor after two o'clock on Saturday afternoon:

(4) There shall be allowed an interval of not less than twelve hours between the termination of employment on one day, and the commencement of the next employment:

(5) A week shall be deemed to begin at midnight on Saturday night and to end at midnight on the succeeding Saturday night:

(6) No boy, girl, or woman shall be employed continuously for more than five hours, without an interval of at least half an hour for a meal, nor for more than eight hours on any one day, without an interval or intervals for meals amounting altogether to not less than one hour and a half:

(7) No boy, girl, or woman shall be employed in moving railway waggons, or in lifting, carrying, or moving any thing so heavy as to be likely to cause injury to the boy, girl, or woman.

Notice fixing hours of employment.

93.—(1) The manager of every mine shall fix within the limits allowed by the foregoing section, and shall specify in a notice in the prescribed form, which must be affixed at the mine—

(*a*) the period of employment; and
(*b*) the times allowed for meals;

and no boy, girl, or woman shall be employed in connexion with any mine except during the period so fixed, but a different period and different times may be fixed for different persons and for different days.

(2) A change in the said period or times shall not be made oftener than once a quarter unless for special cause allowed in writing by an inspector:

Provided that provision may be made by general regulations for allowing a different time to be substituted in case of any special emergency for the time for any meal fixed under this section.

Register of boys, girls, and women employed.

94.—(1) The owner, agent, or manager of every mine shall keep in the office at the mine a register, and shall cause to be entered in that register, in such form as the Secretary of State may from time to time prescribe, the name, age, residence, and date of first employment of all boys employed in the mine below ground, and of all boys, girls, and women employed above ground in connexion with the mine; and shall, on request, produce the register to any inspector, and to any officer of the local education authority for the area in which the mine is situate, at all reasonable times, and shall allow any such inspector or officer to inspect and copy the same.

(2) The immediate employer of every boy, other than the owner, agent, or manager of the mine, before he causes the boy to be below ground in any mine, shall report to the manager of the mine, or to some person appointed by that manager, that he is about to employ the boy in the mine.

Penalty for employment of persons in contravention of Act.

95. If any person contravenes or fails to comply with, or permits any person to contravene or fail to comply with, any provision of this Act with respect to the employment of boys, girls, or women, or to the register of boys, girls, and women, or to reporting the intended employment of boys, he shall be guilty of an offence against this Act; and, in the event of any such contravention or non-compliance by any person whomsoever, the owner, agent, and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the provisions of this Act, to prevent the contravention or non-compliance.

Wages.

Prohibition of payment of wages in licensed premises, and provision as to weekly payment of wages. 10 Edw. 7. & 1 Geo. 5. c. 24.

96.—(1) No wages shall be paid to any person employed in or about any mine at or within any licensed premises as defined by the Licensing (Consolidation) Act, 1910, or other house of entertainment, or any office, garden, or place belonging or contiguous thereto, or occupied therewith.

(2) The wages of all persons employed in or about any mine shall be paid weekly, if a majority of such persons so desire, and there shall be delivered to each such person a statement

containing detailed particulars of how the amount paid to him is arrived at.

(3) Every person who contravenes or fails to comply with or permits any person to contravene or fail to comply with this section shall be guilty of an offence against this Act; and, in the event of any such contravention or non-compliance by any person whomsoever, the owner, agent, and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this section to prevent the contravention or non-compliance.

Part VII.

Inspectors.

Appointment of Inspectors.

Appointment of inspectors of mines.

97.—(1) The Secretary of State may appoint any fit persons to be inspectors (under whatever title he may from time to time fix) of mines, and assign them their duties, and may award them such salaries as the Treasury may approve and may appoint a chief inspector with an office in London, and may remove any such inspector: Provided always that, in the appointment of inspectors of mines in Wales and Monmouthshire, among candidates otherwise equally qualified, persons having a knowledge of the Welsh language shall be preferred.

(2) Notice of the appointment of every such inspector shall be published in the London Gazette.

(3) Every such inspector is referred to in this Act as an inspector, and the inspector of a division means the inspector who is for the time being assigned to the division district or portion of the United Kingdom with reference to which the term is used.

(4) Any person who practises, or acts, or is a partner of any person who practises or acts as a land agent, or mining engineer, or as a manager, viewer, agent, or valuer of mines, or arbitrator in any difference arising between owners, agents, or managers of mines, or is a miners' agent or a mine owner (whether the mine is one to which this Act applies or not), shall not act as an inspector of mines under this Act, and no inspector shall be a partner or have any interest, direct or indirect, in any mine in the United Kingdom whether the mine is one to which this Act applies or not.

Powers and Duties of Inspectors.

Powers of inspectors.

98.—(1) An inspector under this Act shall have power to do all or any of the following things; namely,

(i) to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act relating to matters above ground or below ground are complied with in the case of any mine:

(ii) to enter, inspect, and examine any mine, and every part thereof, at all reasonable times by day and night, but so as not to impede or obstruct the working of the mine:

(iii) to examine into and make inquiry respecting the state and condition of any mine, or any part thereof, and the ventilation of the mine, and the sufficiency of the regulations for the time being in force in the mine, and all matters and things connected with or relating to the safety of the persons employed in or about the mine or any mine contiguous thereto, or the care and treatment of the horses and other animals used in the mine, and may take with him for the last-mentioned purpose a duly qualified veterinary surgeon:

(iv) to exercise such other powers as may be necessary for carrying this Act into effect.

(2) The owner of every mine, his agents and servants, shall furnish the means required by an inspector as necessary for an entry, inspection, examination, inquiry or the exercise of his powers under this Act in relation to that mine.

(3) If any person wilfully delays an inspector in the exercise of any power under this section, or fails to comply with the requisition of an inspector in pursuance of this Act, or to produce any certificate or document which he is required by or in pursuance of this Act to produce, that person shall be deemed to obstruct an inspector in the execution of his duties under this Act.

(4) Every person who obstructs any inspector in the execution of his duty under this Act shall be guilty of an offence against this Act.

Notice by inspector of causes of danger not expressly provided against.

99.—(1) If in any respect (which is not provided against by any express provision of this Act, or by any regulation) any inspector finds any mine, or any part thereof, or any matter, thing, or practice in or connected with any mine, or with the control, management, or direction thereof by the owner, agent, or manager to be dangerous or defective, so as in his opinion to threaten or tend to the bodily injury of any person, he may give notice in writing thereof to the owner, agent, or manager of the mine, and shall state in the notice the particulars in which he considers the mine or any part thereof, or any matter, thing, or practice, to be dangerous or defective, and require the same to be remedied or, if the same cannot be remedied, require the men to be withdrawn from the mine or part; and unless the same be forthwith remedied or the men withdrawn he shall also report the same to the Secretary of State.

(2) If the owner, agent, or manager of the mine objects to remedy the matter complained of in the notice or to withdraw the men he may, within seven days after receipt of the notice, send his objection in writing, stating the grounds thereof, to the Secretary of State; and thereupon the matter shall be determined in manner provided by this Act for settling disputes.

(3) If the owner, agent, or manager fails, when no objection is sent as aforesaid, to comply with the requisition of the notice within seven days after the expiration of the time for objection, or when there has been a reference to a referee to comply with the award within the time fixed by the award, he shall be guilty of an offence against this Act, and the notice and award shall respectively be deemed to be written notice of the offence:

Provided that the court, if satisfied that the owner, agent, or manager has taken active measures for complying with the notice or award, but has not, with reasonable diligence, been able to complete the works, may adjourn any proceedings taken before them for punishing the offence, and, if the works are completed within a reasonable time, no penalty shall be inflicted.

(4) No person shall be precluded by any agreement from doing, or be liable to any injunction, damages, penalty or forfeiture in respect of, such acts as may be necessary in order to comply with the provisions of this section.

Annual reports of inspectors.

100. Every inspector of a division under this Act shall make an annual report of his proceedings during the preceding year to the Secretary of State, which report shall be laid before both Houses of Parliament; and the chief inspector shall make to the Secretary of State an annual report of the proceedings under this Act during the preceding year, and the report of the chief inspector shall be laid before both Houses of Parliament.

Part VIII.

Supplemental.

Legal Proceedings.

Penalty for offences against Act.

101.—(1) Every person employed in or about a mine, other than an owner, agent, or manager, who is guilty of any act or omission which in the case of an owner, agent, or manager would be an offence against this Act, shall be deemed to be guilty of an offence against this Act.

(2) If a mine is not managed in conformity with this Act, the owner, agent, and manager thereof shall each be deemed to be guilty of an offence against this Act.

(3) Every person who is guilty of an offence against this Act for which a penalty is not expressly provided, shall be

liable to a fine not exceeding, if he is an owner, agent, or manager, or under-manager, twenty pounds, and, if he is any other person, five pounds, for each offence; and, if an inspector has given written notice of any such offence, to a further fine not exceeding one pound for every day after such notice that such offence continues to be committed.

(4) Where a person is guilty of any offence against this Act which, in the opinion of the court that tries the case, is one which was likely to endanger the safety of the persons employed in or about the mine, or to cause serious personal injury to any of such persons, or to cause a dangerous accident, and was committed wilfully by the personal act, personal default, or personal negligence of the person accused, such person shall be liable, if the court is of opinion that a fine will not meet the circumstances of the case, to imprisonment, with or without hard labour, for a period not exceeding three months.

Prosecutions of owners, agents, managers, &c.

102.—(1) Where proceedings are taken under this Act against the owner or agent of a mine in respect of an offence under this Act for which the owner, agent, or manager or each of them is liable under this Act, the owner or agent shall not be liable to any penalty if he proves to the satisfaction of the court—

(*a*) that he was not in the habit of taking and did not in respect of the matters in question take any part in the management of the mine; and

(*b*) that he had made all the financial and other provision necessary to enable the manager to carry out his duties; and

(*c*) that the offence was committed without his knowledge, consent, or connivance.

(2) Save as above provided, it shall not be a defence in any proceedings brought against the owner or agent of a mine under this Act in respect of such an offence as aforesaid that a manager of the mine has been appointed in accordance with this Act.

(3) Nothing in this Act shall render the owner, agent, or manager of a mine liable to a penalty in respect of any contravention of or non-compliance with the provisions of this Act, if he proves that the contravention or non-compliance was due to causes over which he had no control and against the happening of which it was impracticable for him to make provision.

(4) Nothing in this section shall be construed as preventing proceedings being instituted, in the first instance, against the manager for any offence for which the manager of the mine is liable under this Act.

(5) No prosecution shall be instituted against the owner, agent, manager, or under-manager of a mine for any offence under this Act, not committed personally by such owner, agent,

manager, or under-manager, which can be prosecuted before a court of summary jurisdiction, except by an inspector or with the consent in writing of the Secretary of State; and in the case of any offence of which the owner, agent, manager, or under-manager of a mine is not guilty if he proves that he had taken all reasonable means to prevent the commission thereof, an inspector shall not institute any prosecution against such owner, agent, manager, or under-manager, if satisfied that he had taken such reasonable means as aforesaid.

(6) A prosecution shall not be instituted against a coroner for any offence under this Act except with the consent in writing of the Secretary of State.

(7) If a boy or girl was employed on the representation of his or her parent or guardian that he or she was of an age at which his or her employment would not be in contravention of this Act, and under the belief in good faith that he or she was of that age, or if a person has been employed in any capacity or in any manner on his representation that he fulfilled the conditions as to age, experience, and otherwise necessary for such employment, and under the belief in good faith that such representation was true, the owner, agent, or manager of the mine and employer shall be exempted from any penalty, and the parent or guardian or the person making such representation, as the case may be, shall, in respect of the misrepresentation, be guilty of an offence against this Act.

(8) The owner of a mine shall not be liable to an action for damages as for breach of statutory duty in respect of any contravention of or non-compliance with any of the provisions of this Act if it is shown that it was not reasonably practicable to avoid or prevent the breach.

Summary proceedings for offences, fines, &c.

103.—(1) All offences under this Act not declared to be misdemeanours, and all fines under this Act, and all money and costs by this Act directed to be recovered as fines, may be prosecuted and recovered in manner directed by the Summary Jurisdiction Acts:

Provided that—

(i) It shall be sufficient to allege that the mine is a mine within the meaning of this Act, without more:

(ii) The court shall, if required by either party, cause minutes of the evidence to be taken and preserved.

(2) Where proceedings are taken before a court of summary jurisdiction in respect of an offence against this Act alleged to have been committed in or with reference to a mine, a person who is the owner, agent, or manager of any mine, or a person employed in a mine, or the father, son, or brother, or father-in-law, son-in-law, or brother-in-law, of such owner, agent, manager, or person, or who is an officer of any association of persons so employed, or who is a check-weigher appointed under the Coal Mines Regulation Acts, 1887 to 1905, or who is a director of

a company which is the owner of a mine, shall not, except with the consent of both parties to the case, act as a member of the court. - Breach of [illegible]: certiorari refused [illegible] [illegible] had been [illegible] K v [illegible] 191

Appeal to quarter sessions.

104. If any person feels aggrieved by any summary conviction under this Act by which imprisonment or a fine amounting to or exceeding one half the maximum fine, is adjudged, he may appeal therefrom to quarter sessions.

Application of fines.

105.—(1) Where a fine is imposed under this Act for neglecting to send a notice of any accident or for any offence against this Act which has occasioned loss of life or personal injury, the Secretary of State may (if he thinks fit) direct such fine to be paid to or distributed among the persons injured, and the relatives of any persons whose death may have been occasioned by the accident or offence, or among some of them:

Provided that—

(i) Such persons did not, in his opinion, occasion or contribute to occasion the accident, and did not commit and were not parties to committing the offence:

(ii) The fact of the payment or distribution shall not, in any way, affect or be receivable as evidence in any legal proceeding relative to or consequential on the accident or offence.

(2) Save as aforesaid—

All fines recovered in England or Scotland under this Act shall be paid into the Exchequer;

All fines recovered in Ireland under this Act shall be applied in manner directed by the Fines Act (Ireland), 1851, and any Act amending the same.

14 & 15 Vict. c. 90.

Report of result of proceedings against workmen.

106. Where the owner, agent, or manager of a mine has taken proceedings under this Act against any person employed in or about a mine in respect of an offence against this Act, he shall, within twenty-one days after the hearing of the case, report the result thereof to the inspector of the division.

Power to prohibit working of mine in which there is a contravention of the provisions of Part II.

107.—(1) The High Court, whether any other proceedings have or have not been taken, may, on the application of the Attorney-General, prohibit by injunction the working of any mine or any part of a mine in which there is such a contravention or non-compliance with the provisions of this Act, or the general regulations made thereunder, as appears to the Court calculated to endanger the safety of persons employed in the mine or part, and may award such costs in the matter as the Court think just, but this provision shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this Act.

(2) Written notice of the intention to apply for such injunction in respect of any mine or part of a mine shall be given to the owner, agent, or manager of the mine not less than ten days before the application is made.

Prohibition of use of dangerous machinery.

108. A court of summary jurisdiction may, on complaint by an inspector, and on being satisfied that any part of the machinery or plant used in a mine (including a steam boiler used for generating steam) is in such a condition or so placed that it cannot be used without danger to life or limb, prohibit its use, or, if it is capable of repair or alteration, prohibit its use until it is duly repaired or altered.

Miscellaneous.

Protection of animals in mines.

109.—(1) The regulations contained in the Third Schedule to this Act (which relate to the care and treatment of horses and other animals in mines) shall be observed in every mine.

(2) Any person who acts in contravention of or fails to comply with any of those regulations shall be guilty of an offence against this Act, and, in the event of any contravention of or non-compliance with any of those regulations by any person whomsoever, the owner, agent, and manager of the mine shall each be guilty of an offence against this Act unless he proves that he has taken all reasonable means, by publishing and to the best of his power enforcing those regulations, to prevent that contravention or non-compliance.

(3) The Secretary of State shall appoint fit persons to be special inspectors for the purpose of examining into the care and treatment of the horses and other animals used in mines, and of enforcing the provisions of this Act relating to horses and other animals, and any person appointed as a special inspector under this provision shall so far as necessary for the exercise of his powers and the performance of his duties as such inspector have the same powers as are given to and be subject to the same obligations and restrictions as inspectors of mines under the foregoing provisions of this Act, and the provisions of this Act relating to the obstruction of inspectors shall apply as if references to inspectors included references to special inspectors.

Application of Workmen's Compensation Act in case of men being trained for or engaged in rescue work.

110.—(1) Where provision has been made in pursuance of regulations under this Act, or under any order which has effect as if made under this Act, for the formation or training of a rescue brigade, any accident caused to a workman employed in or about a mine who is with the consent of his employer being trained as a member of the rescue brigade, and arising out of and in the course of his training, shall, for the purposes of the Workmen's Compensation Act, 1906, be deemed to arise out of and in the course of his employment in the mine.

6 Edw. 7. c. 58.

(2) Any workmen engaged in any rescue work or ambulance work at a mine shall, for the purposes of the Workmen's Compensation Act, 1906, be deemed while so engaged to be employed by the owner of the mine.

111.—(1) Where any line or siding, not being part of a railway within the meaning of the Railway Employment (Prevention of Accidents) Act, 1900, is used in connexion with a mine the provisions of this Act with respect to—

Application of certain provisions to railway sidings. 63 & 64 Vict. c. 27.

(*a*) returns and notification of accidents; and

(*b*) general and special regulations;

shall have effect as if the line or siding were part of the mine, but, as respects such returns and notification of accidents, shall apply only in the case of accidents to persons employed by or on behalf of the owner of the mine.

(2) If any such line or siding is used in connexion with more than one mine belonging to different owners, the foregoing provisions shall have effect as if the line or siding were a separate mine.

112. The salary and remuneration of inspectors and examiners under this Act and all other expenses incurred by the Secretary of State in the execution of this Act, to such an amount as may be sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament.

Payment of salaries and expenses.

113. If any question arises (otherwise than in legal proceedings) whether a mine is a mine to which this Act or the Metalliferous Mines Regulation Acts, 1872 and 1875, apply, the question shall be referred to the Secretary of State, whose decision thereon shall be final.

Power of Secretary of State to determine questions. 35 & 36 Vict. c. 77. 38 & 39 Vict. c. 39.

114. Any order of, or any exemption granted by, the Secretary of State under this Act may be from time to time revoked or altered by the Secretary of State, either unconditionally or subject to such conditions as he may see fit, and shall be signed by the Secretary of State or an under-secretary or assistant under-secretary.

Powers of Secretary of State as to making and revoking orders.

115.—(1) The Secretary of State may purchase and hold land (including any easements in or over land) in the United Kingdom for the purpose of any experiments or tests which he may think it desirable to carry out in connexion with matters relating to the safety or health of persons employed in or about mines.

Power of Secretary of State to purchase land.

(2) For the purpose of the purchase of land under this section, sections two and twenty of the Military Lands Act, 1892, as amended by the Military Lands Act, 1900, shall apply as they apply for the purpose of the purchase of land by the Secretary of State under that Act as so amended.

55 & 56 Vict. c. 43. 63 & 64 Vict. c. 56.

116. Any matter which under this Act is to be settled in manner provided by this Act for settling disputes shall be referred to such one of the panel of referees appointed under this Act as may be selected in manner provided by rules made for the purpose, and the decision of the referee shall be final:

Manner of settling disputes.

Provided that no such matter shall be so referred, unless the party making the objection or refusing compliance has served notice on the other party within the prescribed time and in the prescribed manner, and all objections not made within such time and in such manner shall be disregarded.

Appointment of referees

117.—(1) Such number of persons as may be appointed by the reference committee herein-after mentioned shall form a panel of persons to act as referees for the purposes of this Act.

(2) The reference committee may make rules as to the mode in which the referee in any particular case is to be selected, the procedure before a referee, and the cost of the proceedings before a referee (including the remuneration of the referee).

(3) The reference committee shall consist of the Lord Chief Justice of England, the Lord President of the Court of Session and such person specially qualified by eminence in mining knowledge as the Lord Chief Justice and the Lord President may select.

Procedure for ascertaining views of work men.

118. The Secretary of State may make rules prescribing the procedure to be observed for ascertaining and certifying the views of the workmen, or any part of the workmen, in any mine, or any class of mines, in any case where those views are required to be ascertained for any of the purposes of this Act.

Provisions as to exemptions granted by inspectors.

119. Any exemption granted by the inspector of a division under this Act shall be in writing and signed by him. Any such exemption may—

(*a*) be granted either absolutely or subject to such restrictions and conditions as the inspector thinks fit to impose ;

(*b*) be revoked at any time by the inspector of the division for the time being.

Service of notices.

120. All notices under this Act shall be in writing and all notices and documents required by this Act to be served or sent by or to an inspector may be either delivered personally, or served and sent by post ; and in proving such service or sending it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post.

Pulling down or defacing notices.

121. Every person who pulls down, injures, or defaces any abstract, notice, summary, proposed regulations, or regulations, when posted up in pursuance of the provisions of this Act, or any notice posted up in pursuance of the regulations of the mine, shall be guilty of an offence against this Act.

Interpretation.

122. In this Act, unless the context otherwise requires,—

"Mine" includes every shaft in the course of being sunk, and every level and inclined plane in the course of being driven, and all the shafts, levels, planes, works, tramways, and sidings, both below ground and above ground, in and adjacent to and belonging to the mine, but does not include any part of such premises on which any manufacturing process is carried on other than a process ancillary to the getting, dressing or preparation for sale of minerals:

"Main airway" means an airway commencing from, or terminating at, a shaft or outlet to the surface, or any airway from which a split is taken to ventilate any district of the mine, or into which a split so taken returns:

"Ventilating district" means any part of a seam having an independent intake airway commencing from a main intake airway and an independent return airway terminating at a main return airway:

"Office at the mine" means an office on the surface of the mine:

"Small mine" means a mine in which the total number of persons employed below ground does not exceed thirty:

"Owner," when used in relation to any mine, means any person or body corporate who is the immediate proprietor or lessee, or occupier of any mine, or of any part thereof, and in the case of a mine the business whereof is carried on by a liquidator or receiver includes such liquidator or receiver, but does not include a person or body corporate who merely receives a royalty, rent, or fine from a mine, or is merely the proprietor of a mine subject to any lease, grant, or licence for the working thereof, or is merely the owner of the soil, and not interested in the minerals of the mine; but any contractor for the working of any mine, or any part thereof, shall be subject to this Act in like manner as if he were an owner, but so as not to exempt the owner from any liability:

"Agent," when used in relation to any mine, means any person appointed or acting as the representative of the owner in respect of any mine, or of any part thereof, and as such superior to a manager appointed in pursuance of this Act:

"Prescribed" means prescribed by the Secretary of State:

"Boy" means a male under the age of sixteen years:

"Girl" means a female under the age of sixteen years:

"Woman" means a female of the age of sixteen years or upwards.

Saving for existing managers, firemen, and owners and agents.

123. Nothing in this Act shall—

(*a*) prevent any person who is less than twenty-five years of age from acting as manager of a mine if he was lawfully so acting at the date of the passing of this Act; or (*b*) prevent any person acting as a fireman, examiner, or deputy, notwithstanding that he—

(i) neither is the holder of a first or second-class certificate of competency under this Act, nor is twenty-five years of age or upwards and has had at least five years' practical experience underground in a mine; or

(ii) has not obtained a certificate of his ability to measure the quantity of air in an air current,

if he was employed as a fireman, examiner, or deputy at the date of the passing of this Act;

(*c*) prevent any owner or agent of a mine taking part in the technical management of the mine, notwithstanding that he is not qualified under this Act to be a manager, if he was taking part in the technical management of the mine at the time of the passing of this Act.

Application to Scotland.

124. This Act shall apply to Scotland subject to the following modifications:—

(1) "Attorney-General" means Lord Advocate; "information" means complaint; "summons" means citation; "High Court" means Court of Session; "injunction" means interdict; "county court" means sheriff court; "local education authority" means school board; "licensed premises as defined by the Licensing (Consolidation) Act, 1910," means certificated premises within the meaning of the Licensing (Scotland) Act, 1903; "section ninety-one of the Public Health Act, 1875," means section sixteen of the Public Health (Scotland) Act, 1897; "receiver" includes a trustee in bankruptcy; "attending on subpœna before a court of record" means attending on citation the High Court of Justiciary, and any reference to a Court of Record shall be construed accordingly; "master of the Supreme Court" means auditor of the sheriff court; "county court judge" means sheriff; "London Gazette" means "Edinburgh Gazette":

3 Edw. 7. c. 25.

60 & 61 Vict. c. 38.

(2) The provision relating to an appeal to quarter sessions shall not apply.

Application to Ireland.

125. This Act shall apply to Ireland subject to the following modifications:—

(1) In hearing and determining a charge under this Act, a court of summary jurisdiction elsewhere than in the Dublin metropolitan police district shall be constituted of two or more justices of the peace or of a resident magistrate, with or without other justices,

sitting in petty sessions; and a resident magistrate means a magistrate appointed pursuant to the Constabulary (Ireland) Act, 1836: 6 & 7 Will. 4. c. 36.

(2) Section one hundred and seven of the Public Health (Ireland) Act, 1878, shall be substituted for section ninety-one of the Public Health Act, 1875: 41 & 42 Vict. c. 52.

(3) "Police or stipendiary magistrate" means resident magistrate; "master of the Supreme Court" means a taxing master of the High Court of Justice in Ireland; "London Gazette" means Dublin Gazette; "Attorney-General" means Attorney-General for Ireland:

(4) The Licensing Act, 1872, shall be substituted for the Licensing (Consolidation) Act, 1910. 35 & 36 Vict. c. 94.

126. The enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule: Repeal.

Provided that—

(*a*) Nothing in this repeal shall affect any order made by the Secretary of State or any certificate of competency or of service granted, or having effect as if granted, under any enactment repealed by this Act which is in force immediately before the commencement of this Act, but every such order and certificate shall have effect as if made or granted under this Act; and the register of holders of certificates, and the other registers which at the commencement of this Act are kept in pursuance of the Acts hereby repealed, shall be deemed to be registers or parts of registers kept in pursuance of this Act:

(*b*) Nothing in this repeal shall affect any special rules which at the commencement of this Act are in force under any Act hereby repealed in any mine, but such rules shall, until regulations affecting the mine and revoking such rules have been made under this Act, have effect as if they were the regulations of the mine under this Act:

(*c*) Nothing in this repeal shall affect the tenure of office of any inspector appointed under any enactment repealed by this Act:

(*d*) Any document referring to any Act repealed by this Act, or to any enactment thereof, shall be construed to refer to this Act, and to the corresponding enactments thereof:

(*e*) This Act shall apply to offences under such of the provisions of the Coal Mines Regulation Acts, 1887 to 1908, as are unrepealed by this Act in like manner as if they were offences against this Act, and expressions in those provisions shall have the same meaning as in this Act.

Short title and commencement.

127.—(1) This Act may be cited as the Coal Mines Act, 1911.

(2) This Act shall, except as otherwise provided, come into operation on the first day of July nineteen hundred and twelve.

SCHEDULES.

Sections 18 and 22.

FIRST SCHEDULE.

Form of Annual Return.

This Form must be correctly filled up by the Owner, Agent or Manager, and sent to the Inspector of the Division on or before 21st January, every year.

Part A.

Year ending 31st December, 19 .

Name of Mine ____________

Situation of Mine ____________

County ____________

Postal Address of Mine ____________

Name and Address of Owner ____________

Name of Manager ____________

No. of his Certificate ____________

Name of Under-Manager ____________

No. and Class of his Certificate ____________

Part A.—*continued.*

RETURN of Persons ordinarily employed, the Quantity of Minerals gotten, and the Number of Days in each Month on which Coal or Ironstone has been drawn, during the Year 19 .

N.B.—The Return must comprise *all* persons ordinarily employed *on the mine premises* (including Officials, Storekeepers, Clerks, &c.).

Name or Number of Pit.	Underground.			Above Ground (Including Persons Employed on Sidings at the Pit, and those on Private Branch Railways and Tramways, and in Washing Coal on Premises adjacent to and belonging to the Mine).							Gross Total of Persons Employed Underground and Above Ground in connexion with the Mine.
	Males.			Males.			Females.			Total Above Ground.	
	Ages, 14 to 16.	Ages, Above 16.	Total Underground.	Ages, 13 to 14.	Ages, 14 to 16.	Ages, Above 16.	Ages, 13 to 14.	Ages, 14 to 16.	Ages, Above 16.		
Totals - -											

Part A.—*continued.*

RETURN of persons ordinarily employed, &c.—*continued.*

Name or Number of Pit.	Statute Tons of Minerals gotten.												Number of Days in each Month on which Coal or Ironstone has been drawn.												
	Coal,* including Small or Slack.		Fireclay.		Ironstone (Raw).		Oil Shale.		Other Minerals.			Total Tons.													Total Days.
	Amount.	Value at the Pit Mouth.	Amount.	Value at the Pit Mouth.	Amount.	Value at the Pit Mouth.	Amount.	Value at the Pit Mouth.	Amount.	Value at the Pit Mouth.	Description.		January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November	December.	
Totals -																									

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* The total Coal won, *including Coal used for Colliery consumption*, must be given.

Part B.

PARTICULARS OF VENTILATION.

Name of the Mine ____________________

Name or Number of Pit.	Name of Seam.	Mode of Ventilation, with Description.	Diameter or Dimensions and Depth of Downcast and Upcast Shafts.				Number of Splits and Quantity.		Average Total Quantity of Fresh Air per minute.
			Downcast.		Upcast.				
			Diameter or Dimensions in feet.	Depth in feet.	Diameter or Dimensions in feet.	Depth in feet.	Splits.	Quantity in cubic feet per minute.	Cubic feet.
							The information in these columns is to be obtained from the last measurements previous to the 31st December.		

Part C.

Particulars of Explosives, Coal-cutting Machines, Conveyors, and Safety Lamps, *used* during the Year ended 31st December 19 .

I.—EXPLOSIVES.

Name of Explosive.	Quantity used. (lbs.)	Estimated Number of Shots fired.			
		By Electricity.	By Fuse.	By Squibs.	Total.

The number of miss-fire shots :—

1. With Electricity - - -
2. With Fuse - - - -
3. Otherwise - - - -

Total - - -

II.—COAL-CUTTING MACHINES AND CONVEYORS.

Description.	Number Driven by		Statute Tons Cut by						Number of Conveyors at Coal Face.
	Electricity.	Compressed Air.	Electricity.			Compressed Air.			
			Coal.	Other Mineral.		Coal.	Other Mineral.		
				Tons.	Description.		Tons.	Description.	

III.—SAFETY LAMPS.

Name and Description* of Lamp. (*No. of Gauzes and whether Shielded or not.)	No. in Use.	Method of Locking.				Kind of Illuminant.				
		Lead Rivet.	Magnetic.	Screw.	Other.	Colza or Colza and Petroleum.	Petroleum.	Volatile Spirit.	Electricity.	Other Illuminant.

State the method of lighting the lamps, *e.g.*, by electricity, internal igniters, or otherwise

Part D.

Type and Aggregate Horse-Power of Electrical Apparatus.

1. System of Supply (whether continuous current or alternating current) - - - Voltage of Supply - - - Periodicity (if alternating current) - - - - Source of Supply - - -	
2. Voltage at which current is used for— Lighting - - - - Power - - - -	
3. Aggregate H.P. of Motors installed on surface for— Winding - - - - Ventilation - - - Haulage - - - - Coal washing or screening Miscellaneous - - - Total H.P. - -	
4. Aggregate H.P. of Motors installed below ground for— Haulage - - - - Pumping - - - Portable Machinery - - Miscellaneous - - - Total H.P. - -	
5. Total H.P. (addition of 3 and 4)	

(Signed) Owner, Agent, or Manager.

Date

Sections 86 and 87.

SECOND SCHEDULE.

Part I.

Procedure for making General Regulations.

(1) Before the Secretary of State makes an order he shall publish in such manner as he may think best adapted for informing persons affected, notice of the proposal to make the order and of the place where copies of the draft order may be obtained, and of the time (which shall not be less than thirty days) within which any objections made with respect to the draft order by or on behalf of persons affected must be sent to the Secretary of State.

(2) Every objection must be in writing and state—

(*a*) the specific grounds of objection ;

(*b*) the omissions, additions, or modifications asked for.

(3) The Secretary of State shall consider any objection made by or on behalf of any persons appearing to him to be affected which is sent to him within the required time, and he may, if he thinks fit, amend the draft order, and the foregoing provisions shall apply to the amended draft in like manner as they apply to the original draft.

(4) If after the publication of the notice with respect to any such draft order (whether an original or amended draft), any general objection as herein-after defined is made within the required time with respect to the draft and not withdrawn, the order shall not be made by the Secretary of State until that objection has been referred to such one of the panel of referees appointed under this Act as may be selected in manner provided by the rules made for the purpose.

If on any such reference the referee considers that the draft order should be varied to meet the objection, he shall recommend any variation which he considers necessary or expedient, and effect shall be given to those recommendations in the order, if made.

(5) The reference committee may appoint any person or persons possessing legal or special knowledge to act as assessor or assessors to the referee.

(6) If the Secretary of State considers that any objection, though not a general objection, is of such a character that it is desirable to refer it to a referee, he may so refer it, and in that case the foregoing provisions shall apply as in the case of a general objection.

(7) If any objection, though not a general objection, is made on behalf of the owners of mines of any particular class or mines in any separate area, and it is alleged in the objection that having regard to the special natural conditions or special methods of working in mines of that class or mines in that area the proposed regulations ought not to apply to those mines, the Secretary of State shall, unless he is of opinion that the objection is frivolous, refer it to a referee, and in that case the foregoing provisions shall apply as in the case of a general objection.

(8) For the purposes of this section a "general objection" means an objection made either by or on behalf of owners of mines employing not less than one-third of the total number of men employed at the mines affected by the proposed order, or, if the order contains different provisions for different classes of mines, of the total number of men employed in any such class of mines, or by or on behalf of not less than one-third of the total number of men so employed.

The number of men employed shall be calculated in accordance with the returns for the last preceding year sent by owners of mines to the inspectors in pursuance of the provisions of this Act.

Part II.

Procedure in case of Special Regulations sent to Secretary of State for approval.

(1) Where any special regulations have been sent under this Act to the Secretary of State for approval he shall consider the regulations and either approve or disapprove the same.

Where the Secretary of State disapproves the special regulations, no further action shall be taken in the matter.

Before the Secretary of State approves the special regulations there shall be published, in such manner as he may think best adapted for informing persons affected, notice of the proposal to make the regulations and of the place where copies of the draft regulations may be obtained and of the time (which shall not be less than thirty days) in which any objections with respect to the draft regulations made by or on behalf of persons affected must be sent to the Secretary of State.

(2) Every objection must be in writing and state—

(*a*) the specific grounds of objection ;

(*b*) the omissions, additions, or modifications asked for.

(3) The Secretary of State shall consider any objection made by or on behalf of persons appearing to him to be affected which is sent to him within the required time, and he may, before approving the special regulations, require such amendments to be made therein as he may think fit.

(4) If the owner or a majority of workmen who have sent any objection to any special regulations sent for approval feel aggrieved by the refusal of the Secretary of State to give effect to their objection ; the objection shall be referred to such one of the panel of referees appointed under this Act as may be selected in manner provided by the rules made for the purpose.

If, on any such reference, the referee considers that the regulations should be varied to meet the objection, he shall recommend any variation which he considers necessary or expedient, and the Secretary of State, before approving the regulations, shall require that variation to be made.

THIRD SCHEDULE.

Sections 86 and 109.

1. No horse shall be taken underground until it is four years old and until it has been tested by a duly qualified veterinary surgeon in the prescribed manner and certified to be free from glanders.

2. All horses underground shall, when not at work, be housed in properly constructed stables, and in stalls of adequate size.

3. All stables in use shall be separated from any road used for travelling or haulage of minerals, and shall be continuously and thoroughly ventilated with intake air, and cleaned daily and kept in a sanitary condition, and all roofs, walls, and partitions of any stables shall, unless painted or made of slate, tiles, glazed brick or iron, be limewashed at least once in every three months.

4. Competent persons, herein-after referred to as "horse-keepers," shall be appointed in writing by the manager to have the care of the horses used underground while in the stables, and of the stables, in the proportion of at least one horse-keeper to every fifteen horses.

5. A sufficient supply of wholesome food and pure water shall be provided daily for every horse while in the stable and while at work.

6. A sufficient supply of suitable medicines, ointments, and dressings, and a suitable appliance or appliances for the destruction of horses requiring to be destroyed, shall be provided and kept readily available for use.

7. No horse shall be worked, or allowed by the horse-keeper to go out to work, in an unfit condition, or improperly shod, or otherwise than with harness properly fitting and in good condition, including a guard for the eyes.

8. The driver having charge of any horse shall remain in charge of the horse during the whole time that it is at work in his shift, and, unless otherwise ordered, shall at the end of the shift return the horse to the horse-keeper at the stable.

9. No blind horse shall be worked in a mine.

10. The driver having charge of any horse shall at once report to the official under whose direction he works any injury to or overworking of the horse or any insufficiency in the supply of food or water, and any case in which the horse or harness rubs against the roof or sides, or in which the harness is defective.

11. The horse-keeper shall, as soon as practicable after the return of any horse to the stable, examine the horse and its harness, attend to any injury to the horse, and clean and groom it himself, or cause it to be cleaned and groomed.

12. Every official under whose direction the driver of any horse works and every horse-keeper shall at once report to the manager or under-manager any case of sickness in or injury to or any marks of ill-treatment on or any overworking of any horse coming to his notice, and any defect in the harness likely to cause pain or injury to the horse, and no horse with respect to which any such report is made shall be allowed to go out to work until authority in that behalf is given by the manager or under-manager.

13. Every horse-keeper shall keep a record in a book to be kept at the mine of all horses under his care, and shall make a daily report therein as to the condition of each horse, the driver in whose charge it has been, the time at which it was taken from the stables, and the time at which it was returned thereto.

14. Every book kept by a horse-keeper under the foregoing provisions of this schedule shall be open to inspection by any special inspector.

15. The manager shall, by himself or by some competent person appointed by him for the purpose, exercise such personal supervision over all horse-keepers, drivers, and other persons employed in connection with the horses used in the mine as is necessary to secure that the provisions of this Act relating to the care and treatment of horses in mines are observed in the mine.

16. The owner, agent, or manager shall, as part of the return required to be made annually to the inspector of the division, furnish a statement showing the number of horses used in the mine, the number which have died during the year from injury by accident or from disease, or which required to be destroyed in consequence of injury or disease, and the number of other cases of injury or ill-treatment reported to the manager under the provisions of this schedule.

17. In this schedule the expression "horse" includes pony, mule, and donkey.

FOURTH SCHEDULE.

Section 126.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
50 & 51 Vict. c. 58.	The Coal Mines Regulation Act, 1887.	The whole Act, except sections one, three, twelve, thirteen, fourteen, and fifteen.
59 & 60 Vict. c. 43.	The Coal Mines Regulation Act, 1896.	The whole Act.
63 & 64 Vict. c. 21.	The Mines (Prohibition of Child Labour Underground) Act, 1900.	The whole Act so far as it relates to mines to which this Act applies.
3 Edw. 7. c. 7.	The Coal Mines Regulation Act (1887) Amendment Act, 1903.	The whole Act.
6 Edw. 7. c. 53.	The Notice of Accidents Act, 1906.	Sections one, two, three, and five so far as they relate to mines to which this Act applies.
7 Edw. 7. c. 10.	The Employment of Women Act, 1907.	Section one, so far as it relates to the Coal Mines Regulation Act, 1887.
10 Edw. 7. & 1 Geo. 5 c. 15.	The Mines Accidents (Rescue and Aid) Act, 1910.	The whole Act so far as it relates to mines to which this Act applies.

CHAPTER 51.

An Act to amend the Burgh Police (Scotland) Acts so as to provide for the further Regulation of Places for Public Refreshment in Scotland. [16th December 1911.]

WHEREAS it is expedient to extend the provisions of the Burgh Police (Scotland) Act, 1903, regulating ice-cream and aerated-water shops to certain other places for public refreshment, and to make further provision for the regulation of such places:

3 Edw. 7. c. 33.

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Regulation of places for public refreshment.

3 Edw. 7. c. 33.

1.—(1) Subsection (1) and subsection (3) of section eighty-two of the Burgh Police (Scotland) Act, 1903, shall respectively be amended by the omission of the words "an ice-cream shop or aerated-water shop" occurring therein and by the insertion in lieu thereof of the words "a place for public "refreshment at any time between the hours of eight of the "clock at night and five of the clock of the following morning "or at any time on Sunday."

(2) Subsection (2) of the said section shall be amended by the insertion after the word "daily" occurring therein of the words "except on Sunday, when the byelaws may provide for "closing throughout the day or for any specified hours; and to "make byelaws regulating the internal construction, lighting, "and arrangement of such premises with a view to the orderly "conduct and control thereof, and such byelaws may be made "either for the whole burgh, or for any specified part or parts "thereof;" and subsection (4) of the said section shall be amended by the insertion at the end thereof of the words "provided that no byelaw made in pursuance of the powers "conferred by this section shall take effect until it has been "confirmed by the Secretary for Scotland."

(3) The word "constable" occurring in subsection (3) of the said section shall be repealed.

(4) Any reference to section eighty-two of the Burgh Police (Scotland) Act, 1903, in that Act or in any other Act shall be construed as a reference to that section as amended by this Act, and, where the said section has, prior to the commencement of this Act, been adopted by a town council or a county council, it shall, after such commencement, be deemed to have been adopted as so amended.

55 & 56 Vict. c. 55.

(5) Section three hundred and eighty of the Burgh Police (Scotland) Act, 1892 (whereof the marginal note is "Penalties for offences"), shall, so far as required to bring subsection (2) and subsection (6) thereof into operation in a county outwith burghs and police burghs, have effect throughout the county as if it were herein re-enacted with the substitution of the county council for the magistrates, and offences thereunder may be tried summarily.

3 Edw. 7. c. 25.

(6) Any person who is convicted of an offence under subsection (2) of section three hundred and eighty of the Burgh Police (Scotland) Act, 1892, or the corresponding section or subsection of any local Act, or under section seventy-six of the Licensing (Scotland) Act, 1903, shall, in addition or as an alternative to any other penalty, be liable in the discretion of the court to have his name removed from any register provided under section eighty-two of the Burgh Police (Scotland) Act, 1903, as amended by this Act, for such period not exceeding six months as the court shall order.

(7) Nothing contained in section eighty-two of the Burgh Police (Scotland) Act, 1903, as amended by this Act, shall affect

or prejudice the sale or supply of refreshments or provisions in any premises to persons residing or lodging therein, or at any railway refreshment room; or shall be construed as allowing any premises to be kept open at any time at which they are required under the provisions of the said Act or any other Act for the time being in force to be kept closed, or (except as expressly provided) as affecting or derogating from the provisions of the said Act or any other Act respecting the right of entry to or other regulation of premises to which the said section eighty-two applies.

Special permission to keep open.

2. On a representation being made to any two magistrates of a burgh or any two members of a committee appointed for the purpose by the county council of a county where section eighty-two of the Burgh Police (Scotland) Act, 1903, is in operation by the occupier of any place for public refreshment within the burgh or the county, as the case may be, that it is intended that a special entertainment, whether of a public or of a private nature, is to take place therein during any specified time, such two members may grant such occupier a special permission in writing to open or to keep open such place, if it be a place for public refreshment registered under the section aforesaid, beyond the hours prescribed by any byelaw under that section applicable thereto or, if the place be not so registered beyond the hour of eight o'clock at night, for such time as such members may see fit to prescribe: Provided that in the latter case such opening shall not be held to require the place to be registered as aforesaid.

Definition.

3. In section eighty-two of the Burgh Police (Scotland) Act, 1903, as amended by this Act the expression "place for public refreshment" includes any building or part of a building or other place of public resort for the sale for consumption therein of provisions or refreshments of any kind (including confectionery, ice-cream, as defined in the said section, fruit, and aerated waters), but does not extend to any premises certificated or registered under the Licensing (Scotland) Act, 1903, or any premises in respect of which a licence or other sanction or permit is for the time being in force, issued in virtue of specific powers conferred on a town council or other authority by the Burgh Police (Scotland) Acts or any other statute.

Commencement of Act.

4. This Act shall come into operation after the expiration of three months from the passing thereof; and until that expiration nothing in this Act contained shall affect or prejudice the provisions of section eighty-two of the Burgh Police (Scotland) Act, 1903, or the provisions of any local Act respecting the licensing of persons for the sale of ice-cream or the regulation of ice-cream shops or aerated water shops, or the enforcement of any byelaws thereunder respectively; but after that expiration all such provisions in local Acts and all such byelaws shall cease to be in force.

Extent and citation.

5. This Act shall apply to Scotland only, and may be cited as the Burgh Police (Scotland) Amendment Act, 1911, and this Act and the Burgh Police (Scotland) Acts, 1892 to 1903, may be cited collectively as the Burgh Police (Scotland) Acts, 1892 to 1911.

CHAPTER 52.

An Act to prohibit the sale and use for the purpose of the manufacture of certain articles of unclean Flock manufactured from Rags. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

× Restuffing = remaking (without any addition) is not "making" – [illegible] v Jordan 1913 3 KB 149

Prohibition of sale and use for the purpose of the manufacture of certain articles of unclean flock manufactured from rags.

1.—(1) It shall not be lawful for any person to sell or have in his possession for sale flock manufactured from rags or to use for the purpose of making× any article of upholstery, cushions, or bedding flock manufactured from rags or to have in his possession flock manufactured from rags intended to be used for any such purpose, unless the flock conforms to such standard of cleanliness as may be prescribed by regulations to be made by the Local Government Board, and, if any person sells or uses or has in his possession flock in contravention of this Act, he shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, or in the case of a second or subsequent offence fifty pounds.

56 & 57 Vict. c. 66.

(2) All regulations made by the Local Government Board under this Act shall be laid before Parliament as soon as may be after they are made, and the Rules Publication Act, 1893, shall apply to such regulations as if they were statutory rules within the meaning of section one of that Act.

(3) Where, in any proceedings against a person charged with an offence under this Act, it is proved that an offence under this Act has been committed, but that the person charged with the offence—

(*a*) purchased the flock in respect of which the offence was committed from a person resident within the United Kingdom who sold the flock under a warranty that it complied with the prescribed standard of cleanliness; and

(*b*) took reasonable steps to ascertain, and did in fact believe in, the accuracy of the statement contained in the warranty;

the person so charged shall be entitled upon an information duly laid by him to have the person who gave the warranty brought before the court, and that person may be summarily convicted of the offence, and the person originally charged shall be exempt from any fine, and the person so convicted shall, in the discretion of the court, also be liable to pay any costs incidental to the proceedings.

(4) Where a person is charged with having flock in his possession in contravention of this Act any flock proved in the proceedings to have been found in his possession shall be deemed to be intended for sale or for use in the manufacture of such articles as aforesaid, unless the contrary is proved.

(5) It shall be the duty of a sanitary authority to enforce the provisions of this Act within their district, and for that purpose the medical officer of health, the inspector of nuisances or sanitary inspector, or any other officer whom the sanitary authority may appoint, shall have power, if so authorised by the sanitary authority, to institute and carry on any proceedings which the sanitary authority is authorised to institute and carry on under this Act, and to enter at all reasonable times any premises in which he has reasonable cause to believe that an offence under this Act is being committed, and to examine and take samples for the purposes of analysis of any flock found therein:

Provided that, where a sample is so taken, the occupier of the premises may require the officer taking the sample to divide it into two parts and to mark, seal, and deliver to him one part.

If any person wilfully obstructs any such officer in the execution of his powers under this section, he shall be liable on summary conviction to a fine not exceeding five pounds.

(6) The expenses of sanitary authorities under this Act shall be defrayed—

(*a*) in the case of the mayor, aldermen and commons of the city of London in common council assembled, out of the general rate;

(*b*) in the case of the council of a metropolitan borough, as part of the expenses incurred by the council in the execution of the Public Health (London) Act, 1891; 54 & 55 Vict. c. 76.

(*c*) in the case of any other sanitary authority, namely the council of a municipal borough or urban or rural district, as part of the general expenses incurred in the execution of the Public Health Acts.

(7) All fines imposed in any proceedings instituted by a sanitary authority in pursuance of their powers and duties under this Act shall be paid to the sanitary authority and carried to the credit of the fund out of which the expenses incurred by the authority under this Act are defrayed.

(8) This Act shall apply to Scotland with the following modifications:—

(*a*) The expression "Local Government Board" means the Local Government Board for Scotland; the expression "sanitary authority" means the local authority under the Public Health (Scotland) Act, 1897; and the expression "inspector of nuisances" means sanitary inspector: 60 & 61 Vict. c. 38.

(*b*) The provision respecting the Rules Publication Act, 1893, shall have effect as if section one of that Act applied to Scotland with the substitution of the "Edinburgh Gazette" for the "London Gazette":

(*c*) The expenses of a local authority under this Act shall be defrayed out of the public health general assessment levied under the Public Health (Scotland) Act, 1897.

(9) This Act shall apply to Ireland with the following modifications:—

(*a*) The Local Government Board for Ireland shall be substituted for the Local Government Board;

(*b*) The Public Health (Ireland) Acts, 1878 to 1907, shall be substituted for the Public Health Acts; and

(*c*) The expression "medical officer of health" shall include a medical superintendent officer of health.

Short title and commencement.

2. This Act may be cited as the Rag Flock Act, 1911, and shall come into operation on the first day of July nineteen hundred and twelve.

CHAPTER 53.

An Act to amend the Law as to the Letting and Rating of small Dwelling-houses in Scotland; and for other purposes relating thereto. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation.

1. In this Act—

The expression "small dwelling-house" means a dwelling-house in a burgh or special district in which this Act is in operation, entered in the valuation roll at a yearly rent or value of—

Ten pounds or under if the population of the burgh or special district is less than twenty thousand;

Fifteen pounds or under if the population of the burgh or special district is twenty thousand and less than fifty thousand; and

Twenty-one pounds or under if the population of the burgh or special district is fifty thousand or upwards;

but shall not include any dwelling-house occupied by the owner thereof, or in which the owner resides, or any dwelling-house used as an inn or hotel, or any dwelling-house let along with land for agricultural, pastoral, or horticultural purposes, or any dwelling-house let in conjunction with a shop, workshop, stable, or byre; nor shall it include any dwelling-house let under any contract or lease current at the passing of this Act prior to the expiration of such contract or lease:

The expression "assessing authority" includes a town council, a county council, a parish council, and every other body entitled to impose an assessment:

The expression "assessment" includes all rates, charges, and assessments imposed, assessed, or levied by an assessing authority, the proceeds of which are applicable to public local purposes and which are leviable in respect of the yearly value of lands and heritages, and includes any sum which, though obtained in the first instance by a precept, certificate, or other instrument requiring payment from some authority or officer, is or can be ultimately raised out of an assessment:

The expression "magistrate" includes judge of police:

The expressions "owner" and "occupier" have the meanings assigned to them respectively in the Burgh Police (Scotland) Act, 1892; provided that section fifty-eight of the Burgh Police (Scotland) Act, 1903 (which limits the obligations of factors), shall apply for the purposes of this Act as if it were herein re-enacted with the substitution of this Act for the Burgh Police Acts specified in the said section:

55 & 56 Vict. c. 55.

3 Edw. 7. c. 33.

The expression "burgh" means a royal, parliamentary, or police burgh; and the expression "population" means, in relation to an existing burgh, the population within the police boundaries thereof according to the census of nineteen hundred and eleven, and, in relation to a burgh constituted after the passing of this Act or to a special district, the population thereof as ascertained for the purposes of this Act in manner approved by the Secretary for Scotland:

The expression "special district" means a special district formed in a county under the Public Health (Scotland) Act, 1897, or the Local Government (Scotland) Acts, 1889 to 1908, for the purposes of water supply, drainage, lighting, or scavenging.

60 & 61 Vict. c. 38.

Time limit to missives.

2. No agreement, whether verbal or written, for the let of a small dwelling-house shall be binding, if the same has been made more than two months prior to the commencement of such let.

Lawful date for termination of let.

3. Notwithstanding the date of entry to any small dwelling-house, all lets of such dwelling-houses, except those for a shorter period than one month, shall terminate and shall be terminable only at noon on the twenty-eighth day of a month, or, when that day is a Sunday, on the Monday next following, and all lets of small dwelling-houses for a shorter period than one month shall terminate and shall be terminable at noon on a Monday.

Notice to terminate let.

4. Notice to terminate the let of a small dwelling-house on the day upon which the next payment of rent falls due may be given by either the owner or the occupier, and shall be given by either party in accordance with the provisions of the Sheriff Courts (Scotland) Act, 1907, with respect to notice to terminate a tenancy, but (except as herein-after mentioned) shall expire only at noon on the day upon which the next payment of rent falls due, unless that day is not a lawful date for the termination of a let under this Act, in which case it shall expire only at noon on the lawful date next following the said day: Provided that—

7 Edw. 7. c. 51.

(*a*) If the house be let for a period of more than three months, the notice shall be given at least forty days before the said day or lawful date, as the case may be; and

(*b*) If the house be let for a period of three months or less, the notice shall be given as many days before the said day or lawful date, as the case may be, as shall be equivalent to at least one third of the said period; except in the case of a let for a shorter period than one month, in which case the notice shall be given at least five days before the said day or lawful date, as the case may be.

Removal of occupier in arrear with rent.

5. Notwithstanding anything herein-before contained, if the occupier of a small dwelling-house shall at any time be in arrear with the rent of the same for a period of not less than seven days, the owner shall be entitled to give to such occupier notice to terminate the let as and from the expiry of forty-eight hours from the date of such notice, and the production of a certificate signed by or on behalf of the owner that the occupier is in arrear with rent for a period of not less than seven days shall be primâ facie evidence thereof in any process to follow thereon.

Summary application for removing;

6.—(1) If any occupier shall fail to remove from a small dwelling-house upon the expiration of notice to terminate the let in terms of this Act, it shall be lawful for the owner or any person on his behalf to present to the sheriff, or other court at the passing of this Act exercising jurisdiction in summary removings, a summary application for removing, and a decree pronounced on such summary application shall have the full force and effect of a decree of removing and warrant of ejection: Provided that in any burgh where at the passing of this Act the sheriff court is the only court exercising jurisdiction in respect of summary applications, such applications in respect of small dwelling-houses may be presented to the burgh police court, and the same procedure shall be followed in that court in respect thereof as in the sheriff court.

(2) In any summary application for removing as aforesaid no delay beyond forty-eight hours shall be granted by the sheriff or magistrate to the occupier of a small dwelling-house, unless

on cause shown (which cause the sheriff or magistrate shall state in his order granting delay), or on caution for, or consignation of, the rent due being found or made as the case may be.

Provisions as to rating of small dwelling-houses.

7. Subject as herein-after provided, the provisions of all Acts applicable within the respective areas in which this Act may be in operation respecting the liability for, and the imposition and recovery by an assessing authority of, any assessment, shall subsist in full force and effect: Provided that within every such area—

(1) The occupier of a small dwelling-house shall, in no case, be liable to pay occupiers' assessment therefor in respect of any period prior to the commencement or subsequent to the termination of his occupancy, but any liability to pay occupiers' assessment, which would by law be imposed on a person occupying the small dwelling-house throughout the year from Whitsunday to Whitsunday, shall be imposed on any such occupier or successive occupiers during the year, whether their names appear in the valuation roll or not, to such extent or in such shares as shall be proportionate to the period or periods of their respective occupancies of the small dwelling-house:

(2) Subject as herein-after provided, the owner of a small dwelling-house shall be responsible for all assessments liability to pay which is imposed on the occupier thereof, and the same shall not be recovered or recoverable by the assessing authority from the occupier, but shall be recovered by the assessing authority from such owner in the same manner as provided for under existing Acts with respect to the recovery of assessments from owners, and the assessing authority shall be entitled to recover occupiers' assessments from the owner for the year from Whitsunday to Whitsunday, notwithstanding that the house may not be occupied throughout the year, and for that purpose to issue to the owner through their collector or other officer appointed by them any notice, schedule, demand note, or intimation which, under existing Acts, may be issued in respect of the year's assessments to the occupier:

(3) Notwithstanding any payment by the owner of occupiers' assessments in respect of the occupancy of a small dwelling-house, if, in respect of any period, rent or other consideration shall not be received by the owner for any small dwelling-house in respect of which such payment has been made, the owner shall, upon lodging, on or before dates to be fixed by the respective assessing authorities (one of which dates shall be fixed not earlier than the first or later than the twentieth

day of May in each year), with the clerk to any such authority, or with such other officer as such authority may appoint for the purpose, a claim for repayment, which shall set forth the period or periods during which the small dwelling-house was not let, or in respect of which, though the house was let, no payment of rent or other consideration was received by him, and a declaration to the effect that no rent or other consideration has been paid or given for such period or periods, be entitled to repayment without any unnecessary delay from such authority of the proportionate amount of such assessment for the said period or periods without prejudice to the right of the authority to make adjustments with the owner in respect of any such rent or other consideration subsequently recovered by him: Provided that, for the purpose of any qualification or franchise which depends on payment of occupiers' assessments, an occupier shall be held to be in arrear and his assessments to remain unpaid to the extent of any claim therefor (if relating to any period during the occupancy of the said occupier) under this subsection in respect of which the owner has received repayment, or which is pending at the date when notice of occupiers' assessments in arrear requires to be given under the statutes relating to such qualification or franchise, and the said occupier shall, as being in arrear to the extent aforesaid, unless he has paid such arrears to the assessing authority in terms of section eight of this Act, be included in any list of persons who have failed to pay assessments which under the Acts regulating such qualification or franchise is required to be sent to the assessor as a person who has so failed:

(4) The owner of a small dwelling-house, on receipt of a requisition from an assessing authority or such officer as they may appoint, shall, within ten days thereafter, furnish such authority with a return containing particulars of any period or periods in any year from Whitsunday to Whitsunday during which such small dwelling-house has been let, and of the occupier or successive occupiers thereof with their respective periods of occupancy and the amount of rent payable and paid by them respectively:

(5) Any owner knowingly making or causing to be made any false statement in or in connexion with any claim, declaration, or return under this section, or failing to make any such return, shall be liable, on summary conviction, to a penalty not exceeding fifty pounds:

(6) Every assessing authority shall, in respect of the occupancy of small dwelling-houses, allow to owners from

all occupiers' assessments levied on and recovered from them in place of the occupiers (less any repayments in pursuance of a claim under this section) a deduction, to cover cost of collection, on the following scale (that is to say):—

In the city of Glasgow, two pounds ten shillings per centum; and elsewhere such deduction, not exceeding two pounds ten shillings per centum, as may be fixed by the sheriff on the application of the assessing authority, or any ten or more persons having an interest, after such intimation by advertisement or otherwise as he thinks fit, and after such inquiry, if any, as he may deem necessary:

Provided that, except in the city of Glasgow, after such scale of deduction has been in operation for a period of not less than three years, it shall be competent for the assessing authority, or for any ten or more persons having an interest, to present a petition to the sheriff for reconsideration of such scale, and the sheriff, after such intimation by advertisement or otherwise as he thinks fit, and after such inquiry, if any, as he may deem necessary, shall fix and decide a scale of deduction accordingly, but after the expiry of a period of not less than five years from the date of such decision, and thereafter at intervals of not less than five years from the date of the final interlocutor by the sheriff on the reconsideration of such scale, the scale may, subject to the like procedure, be re-submitted to the sheriff for reconsideration: Provided further that the sheriff shall not fix a scale of deduction exceeding two pounds ten shillings per centum, and it shall not be competent to appeal from any decision of the sheriff under this section:

(7) Section thirty-one of the Lands Valuation (Scotland) Act, 1854, subsection (6) of section nine of the Representation of the People Act, 1884, and sections three hundred and forty-four, three hundred and forty-five, and three hundred and forty-six of the Burgh Police (Scotland) Act, 1892, and the provisions of local Acts specified in Part I. of the Schedule to this Act, shall not apply to a small dwelling-house, and the provisions of local Acts specified in Part II. of that schedule in their application to a small dwelling-house shall be subject to the modifications therein prescribed, and any corresponding provisions of other local Acts shall be read and construed subject to the like alterations so far as necessary in

17 & 18 Vict. c. 91.

48 & 49 Vict. c. 3.

55 & 56 Vict. c. 55.

order to give full effect to the purposes of this Act, and in case of doubt arising in relation to any assessing authority, whether a town council or not, as to the effect of this enactment, sections forty-five and forty-six of the Burgh Police (Scotland) Act, 1892 (which relate to the issue of provisional orders to repeal or amend local Acts) shall apply, to the purpose and effect of enabling the Secretary for Scotland, whether on the application of the assessing authority or not, to issue a provisional order in order to resolve such doubt; but no such provisional order shall be of any validity unless the same has been confirmed by Act of Parliament:

(8) An assessor acting under the Lands Valuation (Scotland) Acts shall in estimating the yearly rent or value of a small dwelling-house make allowance for the responsibility by this section imposed on owners for the payment of occupiers' assessments.

Constructive payment of rates on small dwelling-houses.

8. Every payment of an assessment by an owner under or in pursuance of the provisions of the immediately preceding section shall, notwithstanding any deduction which the assessing authority is required to allow therefrom, be deemed a payment of the full assessment or (where the owner pays by instalments) of a proportionate amount of the assessment, as the case may be, by the occupier for the purpose of any qualification or franchise which depends on such payment: Provided that, where an owner who is responsible therefor omits or neglects to pay any such assessment, or where, having paid the same, he has claimed repayment thereof in respect of any period during the occupancy of the said occupier, the occupier may pay the same to the assessing authority and deduct the amount from the rent due or accruing due to the owner, and the receipt for such assessment shall be a valid discharge of the rent to the extent of the assessment so paid; and provided further that all provisions of any Act with respect to notice to be given of occupiers' assessments in arrear shall apply to occupiers of premises capable of conferring any qualification or franchise as aforesaid, although the owners of such premises are responsible for the occupiers' assessments thereon.

Exemption from payment of occupiers' assessments on ground of poverty.

9. Nothing in this Act shall deprive any assessing authority of any power to exempt an occupier of a small dwelling-house from payment in whole or in part of any assessment on the ground of his poverty or inability to pay.

Exemptions from hypothec.

10. All bedding material as well as all tools and implements of trade used or to be used by the occupier of a small dwelling-house or any member of his family, as the means of his, her, or their livelihood, which are in the dwelling-house, and also such further furniture and plenishing in a small dwelling-house as the occupier may select to the value, according to the sheriff officer's inventory, of ten pounds, shall be wholly exempt from the right of hypothec of the owner.

Application and adoption of Act.

11. Save as herein-after mentioned, this Act shall apply from and after the fifteenth day of May nineteen hundred and twelve, to all small dwelling-houses within the police boundaries of every royal, parliamentary, and police burgh and within every special district in Scotland: Provided that this Act shall not come into operation in any burgh having a population of less than ten thousand, or in any special district, until it has been adopted by a resolution of the town council of such burgh or county council of the county in which such special district is situated, as the case may be, at a meeting called for the purpose at any time after the passing of this Act, after one month's previous notice in a newspaper published or circulating in the burgh or special district.

Such resolution shall be published in the Edinburgh Gazette, and shall come into force as from the fifteenth day of May immediately following such publication.

Every resolution of a town council or county council in terms of this Act shall be forthwith intimated to the Secretary for Scotland.

Agreements in contravention of Act to be void.

12. Any agreement in contravention of the provisions of this Act shall be, and is hereby declared to be, null and void.

Saving. 10 & 11 Vict. c. 17.

13. Nothing in this Act contained shall prejudice or affect the provisions of section seventy-two of the Waterworks Clauses Act, 1847.

Extent and citation.

14. This Act shall extend to Scotland only, and may be cited as the House Letting and Rating (Scotland) Act, 1911.

SCHEDULE.

Section 7.

Part I.

Session and Chapter.	Title or Short Title.	Provisions not to apply.
18 & 19 Vict. c. cxviii.	The Glasgow Corporation Waterworks Act, 1855.	Section ninety-seven.
28 Vict. c. lxix.	The Glasgow Corporation Waterworks Amendment Act, 1865.	Section nine.

Session and Chapter.	Title or Short Title.	Provisions not to apply.
29 & 30 Vict. c. cclxxiii.	The Glasgow Police Act, 1866.	Section forty-six.
32 & 33 Vict. c. xlvi.	The Dundee Water Act, 1869.	Section fifty.
42 & 43 Vict. c. cxxxii.	The Edinburgh Municipal and Police Act, 1879.	Section seventy-three, so far as applying to occupiers' assessments.
44 & 45 Vict. c. lxxiii.	The Aberdeen Corporation Act, 1881.	Sections thirty-four and thirty-seven.
45 & 46 Vict. c. clxxxv.	The Dundee Police and Improvement Consolidation Act, 1882.	Section thirty-eight.
48 & 49 Vict. c. cxxiii.	The Aberdeen Corporation Water Act, 1885.	Section forty, so far as applying sections thirty-four and thirty-seven of the Aberdeen Corporation Act, 1881.
48 & 49 Vict. c. cxxxvi.	The Glasgow Corporation Waterworks Act, 1885.	Section thirty-six.
54 & 55 Vict. c. cxxiv.	The Aberdeen Corporation Act, 1891.	Section forty-one, so far as applying sections thirty-four and thirty-seven of the Aberdeen Corporation Act, 1881.
9 Edw. 7. c. cxxix.	The Greenock Corporation Act, 1909.	Sections seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, and ninety-nine.

PART II.

Session and Chapter.	Title or Short Title.	Modification of Provision.
29 & 30 Vict. c. cclxxiii.	The Glasgow Police Act, 1866.	Section forty-five to apply as if the words "the yearly rent or "value of which is above four "pounds" were omitted.

CHAPTER 54.

An Act to amend and extend the Shops Regulation Acts, 1892 to 1904. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Hours of employment and meal times.

as to provision for sale of Refresh [illegible] ments - see Act 1913.

1.—(1) On at least one week day in each week a shop assistant shall not be employed about the business of a shop after half-past one o'clock in the afternoon:

Provided that this provision shall not apply to the week preceding a bank holiday if the shop assistant is not employed on the bank holiday, and if on one week day in the following week in addition to the bank holiday the employment of the shop assistant ceases not later than half-past one o'clock in the afternoon.

(2) Intervals for meals shall be allowed to each shop assistant in accordance with the First Schedule to this Act.

(3) The occupier of a shop shall fix, and shall specify in a notice in the prescribed form, which must be affixed in the shop in such manner and at such time as may be prescribed, the day of the week on which his shop assistants are not employed after half-past one o'clock, and may fix different days for different shop assistants.

Closing of shops on weekly half-holiday.

2.—(1) Every shop shall, save as otherwise provided by this Act, be closed for the serving of customers not later than one o'clock in the afternoon on one week day in every week.

(2) The local authority may, by order, fix the day on which a shop is to be so closed (in this Act referred to as the weekly half-holiday), and any such order may either fix the same day for all shops, or may fix—

(*a*) different days for different classes of shops; or

(*b*) different days for different parts of the district; or

(*c*) different days for different periods of the year:

Provided that—

(1) where the day fixed is a day other than Saturday, the order shall provide for enabling Saturday to be substituted for such other day; and

(2) where the day fixed is Saturday, the order shall provide for enabling some other day specified in the order to be substituted for Saturday;

as respects any shop in which notice to that effect is affixed by the occupier, and that no such order shall be made unless the local authority after making such inquiry as may be prescribed are satisfied that the occupiers of a majority of each of the several classes of shops affected by the order approve the order.

(3) Unless and until such an order is made affecting a shop, the weekly half-holiday as respects the shop shall be such day as the occupier may specify in a notice affixed in the shop, but it shall not be lawful for the occupier of the shop to change the day oftener than once in any period of three months.

(4) Where the local authority have reason to believe that a majority of the occupiers of shops of any particular class in any area are in favour of being exempted from the provisions of this section, either wholly or by fixing as the closing hour instead of one o'clock some other hour not later than two o'clock, the local authority, unless they consider that the area in question is unreasonably small, shall take steps to ascertain the wishes of such occupiers, and, if they are satisfied that a majority of the occupiers of such shops are in favour of the exemption, or, in the case of a vote being taken, that at least one half of the votes recorded by the occupiers of shops within the area of the class in question are in favour of the exemption, the local authority shall make an order exempting the shops of that class within the area from the provisions of this section either wholly or to such extent as aforesaid.

(5) Where a shop is closed during the whole day on the occasion of a bank holiday, and that day is not the day fixed for the weekly half-holiday, it shall be lawful for the occupier of the shop to keep the shop open for the serving of customers after the hour at which it is required under this section to be closed either on the half-holiday immediately preceding, or on the half-holiday immediately succeeding, the bank holiday.

(6) This section shall not apply to any shop in which a trade or business of any class mentioned in the Second Schedule to this Act is carried on, but the local authority may, by order made and revocable in like manner as closing orders, extend the provisions of this section to shops of any class exempted under this provision if satisfied that the occupiers of at least two thirds of the shops of that class approve the order.

4 Edw. 7. c. 31.

(7) The power under the Shop Hours Act, 1904, to fix a closing hour earlier than seven o'clock, shall cease to have effect, and any closing order which is in force at the commencement of this Act shall cease to have effect in so far as it fixes an hour earlier than seven o'clock for any shop to which this section applies.

Local inquiries for the purpose of promoting and facilitating early closing.

3.—(1) Where it appears to the Secretary of State, on the representation of the local authority or a joint representation from a substantial number of occupiers of shops and shop assistants in the area of the local authority, that it is expedient to ascertain the extent to which there is a demand for early closing in any locality, and to promote and facilitate the making of a closing order therein, the Secretary of State may appoint a competent person to hold a local inquiry.

(2) If, after holding such an inquiry and conferring with the local authority, it appears to the person holding the inquiry that it is expedient that a closing order should be made, he shall prepare a draft order and submit it to the Secretary of State together with his report thereon.

(3) If the Secretary of State, after considering the draft order and report, and any representations which the local authority may have made in respect thereof, is of opinion that it is desirable that a closing order should be made, he may communicate his decision to the local authority, and thereupon there shall be deemed to be a primâ facie case for making a closing order in accordance with the terms of the draft order, subject to such modifications (if any) as the Secretary of State may think fit.

(4) The person who held the inquiry shall, if so directed by the Secretary of State on the application of the local authority, assist and co-operate with the local authority in taking the steps preliminary to making the order.

(5) The remuneration of persons holding local inquiries under this section, and all other expenses incurred by the Secretary of State under this Act, to such an amount as may be sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament.

Provisions as to trading elsewhere than in shops.

4. Subject to any provisions contained in a closing order, it shall not be lawful in any locality to carry on in any place not being a shop retail trade or business of any class at any time when it would be unlawful in that locality to keep a shop open for the purposes of retail trade or business of that class, and, if any person carries on any trade or business in contravention of this section, the Shops Regulation Acts, 1892 to 1911, shall apply as if he were the occupier of a shop and the shop were being kept open in contravention of those Acts:

Provided that—

(*a*) nothing in this section shall be construed as preventing a barber or hairdresser from attending a customer in the customer's residence, or the holding of an auction sale of private effects in a private dwelling-house; and

(*b*) nothing in this section shall apply to the sale of newspapers.

Provisions as respects shops where more than one business is carried on.

5.—(1) Where several trades or businesses are carried on in the same shop, and any of those trades or businesses is of such a nature that, if it were the only trade or business carried on in the shop, the shop would be exempt from the obligation to be closed on the weekly half-holiday, the exemption shall apply to the shop so far as the carrying on of that trade or business is concerned, subject, however, to such conditions as may be prescribed.

(2) Where several trades or businesses are carried on in the same shop, the local authority may require the occupier of the shop to specify which trade or business he considers to be his principal trade or business, and no trade or business other than that so specified shall, for the purpose of determining a majority under the Shops Regulation Acts, 1892 to 1911, be considered as carried on in the shop, unless the occupier of the shop satisfies the local authority that it forms a substantial part of the business carried on in the shop.

Special provisions as to holiday resorts.

6.—(1) In places frequented as holiday resorts during certain seasons of the year the local authority may by order suspend, for such period or periods as may be specified in the order, not exceeding in the aggregate four months in any year, the obligation imposed by this Act to close shops on the weekly half-holiday.

(2) Where the occupier of any shop to which any such order of suspension applies satisfies the local authority that it is the practice to allow all his shop assistants a holiday on full pay of not less than two weeks in every year, and keeps affixed in his shop a notice to that effect, the requirement that on one day in each week a shop assistant shall not be employed after half-past one o'clock shall not apply to the shop during such period or periods as aforesaid.

Powers and duties of local authorities.

7.—(1) It shall be the duty of every local authority to enforce within their district the provisions of the Shops Regulation Acts, 1892 to 1911, and of the orders made thereunder, and for that purpose to institute and carry on such proceedings in respect of failures to comply with or contraventions of those Acts and the orders made thereunder as may be necessary to secure the observance thereof, and to appoint inspectors; and an inspector so appointed shall, for the purposes of his powers and duties, have in relation to shops all the powers conferred in relation to factories and workshops on inspectors by section one hundred and nineteen of the Factory and Workshop Act, 1901, and that section and section one hundred and twenty-one of the same Act shall apply accordingly; and an inspector may, if so authorised by the local authority, institute and carry on any proceedings under this Act on behalf of the authority.

1 Edw. 7. c. 22.

(2) In this Act the expression "local authority" means—

as respects the city of London, the common council;

as respects any municipal borough, the council of the borough;

as respects any urban district with a population according to the returns of the last published census for the time being of twenty thousand or upwards, the district council;

elsewhere, the county council;

and the same local authorities shall be the local authorities for the purposes of the Shop Hours Act, 1904, and shall, in so far as they differ from the local authorities specified in that Act, be substituted for those local authorities:

Provided that a county council may, with the approval of the Secretary of State, make arrangements with the council of an urban district in the county with a population of less than twenty thousand, or with the council of a rural district, for the exercise by the council of that district as agents for the county council, on such terms and subject to such conditions as may be agreed on, of any powers of the county council under the Shops Regulation Acts, 1892 to 1911, within the district, and the council of the district may, as part of the agreement, undertake to pay the whole or any part of the expenses incurred in connection with the exercise of the powers delegated to them, and the London County Council may, with the like approval, make similar arrangements with the council of any metropolitan borough.

(3) The expenses of a local authority under the Shops Regulation Acts, 1892 to 1911 (including any expenses which a council undertake to pay as aforesaid), shall, save as otherwise expressly provided by this Act, be defrayed—

in the case of the common council of the city of London, out of the general rate;

in the case of the council of a borough, out of the borough fund or borough rate;

in the case of a district council, as part of the general expenses incurred in the execution of the Public Health Acts;

in the case of a county council, as expenses for special county purposes;

in the case of a metropolitan borough council, as part of the expenses of the council.

Offences.

8.—(1) If a shop assistant is employed contrary to the provisions of this Act, or is not allowed times for meals as required by this Act, the occupier of the shop shall be guilty of an offence against this Act unless, in the case of a shop assistant employed after half-past one o'clock in contravention of this Act, he proves that the shop assistant was employed merely for the purpose of serving a customer whom he was serving at that time, or that that time coincided with the time of the closing of the shop, and that the shop assistant was employed merely for the purpose of serving customers who were in the shop at that time.

(2) If a shop is kept open on the weekly half-holiday, the occupier of the shop shall be guilty of an offence against this Act:

Provided that the occupier of a shop shall not be guilty of an offence against this Act when a customer is served at any time at which the shop is required to be closed, if he proves either that the customer was in the shop before the time when the shop was required to be closed, or that there was reasonable ground for believing that the article supplied to the customer was required in the case of illness.

(3) If the occupier of a shop contravenes or fails to comply with any of the other provisions of this Act or the orders made thereunder, he shall be guilty of an offence against this Act.

(4) Where an offence for which the occupier of a shop is liable under the Shops Regulation Acts, 1892 to 1911, has, in fact, been committed by some manager, agent, servant, or other person, the manager, agent, servant, or other person shall be liable to the like penalty as if he were the occupier.

(5) A person guilty of an offence against this Act shall be liable to a fine not exceeding—

(*a*) in the case of a first offence, one pound;
(*b*) in the case of a second offence, five pounds; and
(*c*) in the case of a third or subsequent offence, ten pounds.

(6) The provisions of the Shops Regulation Acts, 1892 to 1904, relating to offences and proceedings shall apply as if re-enacted in this Act and in terms made applicable thereto, and as if references to the occupier of a shop were substituted for references to the employer of a young person.

(7) All fines imposed in any proceedings instituted by or on behalf of a local authority in pursuance of their powers and duties under the Shops Regulation Acts, 1892 to 1911, shall be paid to the local authority and carried to the credit of the fund out of which the expenses incurred by the authority under those Acts are defrayed.

Proof and revocation of closing orders.

9.—(1) Any order made by a local authority under the Shops Regulation Acts, 1892 to 1911, may be proved by the production of a copy thereof certified to be a true copy by a person purporting to be the clerk of the local authority by whom the order was made.

(2) Any order made by a local authority under this Act may, unless otherwise provided by this Act, be revoked by an order made in the like manner and subject to the like approval as the original order.

Application to Post Office business.

10.—(1) Where Post Office business is carried on in any shop in addition to any other business, this Act shall apply to that shop subject to the following modifications:—

(*a*) If the shop is a telegraph office, the obligation to close on the weekly half-holiday shall not apply to the shop so far as relates to the transaction of Post Office business thereat:

(*b*) Where the Postmaster General certifies that the exigencies of the postal service require that Post Office business should be transacted in any such shop at times when under the provisions of this Act relating to the weekly half-holiday the shop would be required to be closed, or under conditions not authorised by this Act, the shop shall, for the purpose of the transaction of Post Office business, be exempted from the provisions of this Act to such extent as the Postmaster General may certify to be necessary for the purpose:

Provided that in such cases the Postmaster General shall make the best arrangements that the exigencies of the postal service allow with a view to the conditions of employment of the persons employed being on the whole not less favourable than those secured by this Act.

(2) Save as aforesaid, nothing in this Act shall apply to Post Office business, or to any premises in which Post Office business is transacted.

Supply of necessaries to ships.

11. Nothing in this Act shall prevent customers from being served, at a time when the shop in which they are sold is required to be closed, with victuals, stores, or other necessaries for a ship, on her arrival at or immediately before her departure from a port.

Saving for fairs and bazaars.

12. Nothing in this Act shall apply to any fair lawfully held or any bazaar or sale of work for charitable or other purposes from which no private profit is derived.

Provisions with respect to members of the same family. 55 & 56 Vict. c. 62.

13.—(1) Section ten of the Shop Hours Act, 1892, which provides for the exemption of members of the occupier's family and domestic servants from the provisions of that Act, shall cease to have effect, except so far as it relates to persons wholly employed as domestic servants.

(2) The provisions of this Act with respect to the allowance of intervals for meals shall not apply to a shop, if the only persons employed as shop assistants are members of the family of the occupier of the shop maintained by him and dwelling in his house.

Interpretation.

14. In this Act—

The expression "shop" includes any premises where any retail trade or business is carried on;

The expression "retail trade or business" includes the business of a barber or hairdresser, the sale of refreshments or intoxicating liquors, and retail sales by auction, but does not include the sale of programmes and catalogues and other similar sales at theatres and places of amusement;

The expression "shop assistant" means any person wholly or mainly employed in a shop in connexion with the serving of customers or the receipt of orders or the despatch of goods;

The expression "bank holiday" includes any public holiday or day of rejoicing or mourning;

The expression "prescribed" means prescribed by regulations made under the Shop Hours Act, 1904;

The expression "closing order" means a closing order under the Shop Hours Act, 1904.

Application to Scotland.

15. This Act shall apply to Scotland, subject to the following modifications:—

The Secretary for Scotland shall be substituted for the Secretary of State.

The local authority for the purposes of the Shops Regulation Acts, 1892 to 1911, shall be the county council in a county (exclusive of the police burghs therein) and the town council in a royal, parliamentary, or police burgh; and the expenses of a local authority under the said Acts shall be defrayed, in the case of a county council, out of the general purposes rate, and, in the case of a town council, out of the burgh general improvement assessment, or any other assessment leviable by the town council in equal proportions on owners and occupiers: Provided that the ratepayers of a police burgh shall not be assessed by the county council for any such expenses.

Application to Ireland.

16. This Act shall apply to Ireland subject to the following modifications:—

(1) The Lord Lieutenant shall be substituted for the Secretary of State:

(2) A local authority for the purposes of this Act means as respects any municipal borough the borough council, and as respects any urban district the district council, and those authorities shall, as respects their several areas, be the local authorities for the purposes of the Shop Hours Act, 1904:

(3) The expenses of such local authorities shall be defrayed, in the case of a municipal borough, out of the borough fund or borough rate, and, in the case of a district council, as part of the general expenses incurred in the execution of the Public Health (Ireland) Acts, 1878 to 1907:

(4) This Act shall not extend to any rural district or part of a rural district, and nothing in this Act shall affect the powers or duties, under the Shops Regulation Acts, 1892 to 1904, of the commissioners of any town or township not being an urban district:

(5) In the case of a shop assistant employed in a shop in which the business of the sale by retail of intoxicating liquors is carried on, section one of this Act shall not

apply, but, instead thereof, the following provisions shall have effect:—

(*a*) The assistant shall not, save as otherwise provided by this Act, be employed about the business of such shop for more than seventy-two hours (exclusive of meal hours) in any week;

(*b*) Intervals for meals shall be allowed to each assistant, amounting to not less than two hours on each week-day;

(*c*) The occupier of the shop shall fix within the limit aforesaid, and shall specify in a notice in the prescribed form affixed in the shop, the times at which the employment or the several spells of employment, as the case may be, of the assistant are to commence and end on the several days of the week, and the assistant shall not be employed about the business of the shop, except within the time so fixed;

(*d*) The assistant may be employed overtime for not more than ninety hours in the calendar year, and such employment shall not be reckoned as employment for the purposes of the foregoing limitation of the hours of employment:

Provided that, during the first two months after the assistant has entered the employment, the amount of overtime worked by him shall not exceed the proportion of two hours for every week he has been in the employment, or is entitled under a contract to continue in the employment;

(*e*) The assistant shall be deemed to be employed overtime if he is employed before the time fixed by the notice for the commencement or after the time so fixed for the ending of his employment or during the interval so fixed between two spells of employment, and overtime shall be reckoned in periods of half an hour, and any period of overtime of less than half an hour shall be reckoned as a complete half hour; and the occupier of the shop when he intends to employ the assistant overtime on any day shall, before the overtime employment commences, record the prescribed particulars with respect to that employment in the prescribed manner;

(*f*) The assistant shall, subject as herein-after mentioned, be allowed on one week-day in each week a holiday of not less than seven hours (in this subsection referred to as a weekly half-holiday).

Unless the employer and the shop assistant otherwise agree, the weekly half-holiday shall commence either at the time at which the shop opens on that day (in this subsection referred to as "a morning half-holiday"), or at a time not less than seven hours before the time at which the shop closes on that day (in this subsection referred to as "an afternoon half-holiday"), and the aforesaid half-holidays shall be so arranged that the assistant shall be allowed a morning half-holiday and an afternoon half-holiday alternately;

(*g*) An assistant who has been employed by the same employer for a period of not less than twenty-six consecutive weeks about the business of one or more shops of the employer shall, so long as he continues in the employment of that employer, be allowed an annual holiday of at least seven consecutive days, or, if he has been employed as aforesaid for a period of not less than fifty-two consecutive weeks, an annual holiday of at least fourteen consecutive days;

(*h*) In any week in which an assistant is absent from his employment in or about the business of the shop, either on his annual holiday or on account of ill-health or otherwise, the weekly half-holiday may be disallowed in the case of every other assistant employed in or about the business of the shop and the number of hours of weekly employment of every such other assistant may be increased by seven hours accordingly: Provided that, where the assistant is absent for more than four consecutive weeks on account of ill-health, the weekly half-holiday of the other assistants shall not be disallowed and their hours of employment shall not be increased by reason of such absence except in the first four weeks in which he is absent;

(*i*) No deduction from wages or salary payable to the assistant shall be made on account of any such holidays or half-holidays as aforesaid:

(6) Any shop in which the trade or business of the sale by retail of intoxicating liquors is carried on in conjunction with any other trade or business, shall, as respects all such trades or businesses, be exempt from the obligation to be closed on the weekly half holiday:

(7) A local authority may, in addition to its other powers under the Shops Regulation Acts, 1892 to 1911, make an order fixing the hours on the several week-days before which, either throughout the area of the local authority or in any specified part thereof, no shop, in which the business of the sale of intoxicating liquors for consumption on or off, or for consumption off, the premises only is carried on, shall be open for serving customers:

Such order shall be deemed to be a closing order, and all the provisions of the Shop Hours Act, 1904, with respect to closing orders, save those relating to the earliest hours to be fixed by a closing order, shall apply accordingly with the necessary modifications:

Provided that an order made under this subsection shall not in any way affect the powers conferred by section eleven of the Licensing (Ireland) Act, 1874, of granting exemption orders in respect of licensed premises, or apply to any licensed premises during any time during which the premises are permitted to be open under any such exemption order:

37 & 38 Vict. c. 69.

(8) Shops in which there is carried on the business of the sale by retail of intoxicating liquors for consumption on or off the premises, whether such business is carried on alone or in conjunction with any other business or trade, shall, for the purposes of the provisions of the Shop Hours Act, 1904, with respect to closing orders, be deemed to be shops of a separate class, and a local authority shall not make a closing order applying to shops of that class unless they are satisfied that the occupiers of at least two thirds in number of the shops of that class approve the order:

(9) Shops in which there is carried on the business of the sale by retail of intoxicating liquors for consumption off the premises only, whether such business is carried on alone or in conjunction with any other business or trade, shall, in like manner and for the purposes aforesaid, be deemed to be shops of a separate class, and the provisions of the last preceding subsection with respect to the making of closing orders shall apply to that class of shops as a separate class accordingly.

Short title and commencement.

17.—(1) This Act may be cited as the Shops Act, 1911; and the Shops Regulation Acts, 1892 to 1904, shall be construed as one with this Act, and may be cited with this Act as the Shops Regulation Acts, 1892 to 1911.

(2) This Act shall come into operation on the first day of May nineteen hundred and twelve.

(3) The enactments specified in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule except so far as they relate to rural districts in Ireland, and to local authorities in those districts.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

Intervals for Meals.

Intervals for meals shall be arranged so as to secure that no person shall be employed for more than six hours without an interval of at least twenty minutes being allowed during the course thereof.

Without prejudice to the foregoing provision—

(1) where the hours of employment include the hours from 11.30 a.m. to 2.30 p.m., an interval of not less than three-quarters of an hour shall be allowed between those hours for dinner; and

(2) where the hours of employment include the hours from 4 p.m. to 7 p.m., an interval of not less than half-an-hour shall be allowed between those hours for tea;

and the interval for dinner shall be increased to one hour in cases where that meal is not taken in the shop, or in a building of which the shop forms part or to which the shop is attached:

Provided that an assistant employed in the sale of refreshments or in the sale by retail of intoxicating liquors need not be allowed the interval for dinner between 11.30 a.m. and 2.30 p.m., if he is allowed the same interval so arranged as either to end not earlier than 11.30 a.m. or to commence not later than 2.30 p.m., and the same exemption shall apply to assistants employed in any shop on the market day in any town in which a market is held not oftener than once a week, or on a day on which an annual fair is held.

Section 2.

SECOND SCHEDULE.

Trades and Businesses exempted from the Provisions of this Act as to Weekly Half-Holiday.

The sale by retail of intoxicating liquors.

The sale of refreshments, including the business carried on at a railway refreshment room.

The sale of motor, cycle, and air-craft supplies and accessories to travellers.

The sale of newspapers and periodicals.

The sale of meat, fish, milk, cream, bread, confectionery, fruit, vegetables, flowers, and other articles of a perishable nature.

The sale of tobacco and smokers' requisites.

The business carried on at a railway bookstall on or adjoining a railway platform.

The sale of medicines and medical and surgical appliances.

Retail trade carried on at an exhibition or show, if the local authority certify that such retail trade is subsidiary or ancillary only to the main purpose of the exhibition or show.

THIRD SCHEDULE.

Section 17.

Session and Chapter.	Short Title.	Extent of Repeal.
55 & 56 Vict. c. 62.	The Shop Hours Act, 1892.	Section eight.
56 & 57 Vict. c. 67.	The Shop Hours Act, 1893.	The whole Act.
4 Edw. 7. c. 31	The Shop Hours Act, 1904.	Subsection (2) of section eight; section nine.

CHAPTER 55.

An Act to provide for Insurance against Loss of Health and for the Prevention and Cure of Sickness and for Insurance against Unemployment, and for purposes incidental thereto. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

National Health Insurance.

Insured Persons.

Insured persons.

1.—(1) Subject to the provisions of this Act, all persons of the age of sixteen and upwards who are employed within the meaning of this Part of this Act shall be, and any such persons who are not so employed but who possess the qualifications herein-after mentioned may be, insured in manner provided in this Part of this Act, and all persons so insured (in this Act called "insured persons") shall be entitled in the manner and subject to the conditions provided in this Act to the benefits in respect of health insurance and prevention of sickness conferred by this Part of this Act.

(2) The persons employed within the meaning of this Part of this Act (in this Act referred to as "employed contributors") shall include all persons of either sex, whether British subjects or not, who are engaged in any of the employments specified in Part I. of the First Schedule to this Act, not being employments specified in Part II. of that schedule:

Provided that the Insurance Commissioners herein-after constituted may, with the approval of the Treasury, by a special order made in manner herein-after provided, provide for including amongst the persons employed within the meaning of this Part of this Act any persons engaged in any of the excepted employments specified in Part II. of the said schedule either unconditionally or subject to such conditions as may be specified in the order.

(3) The persons not employed within the meaning of this Part of this Act who are entitled to be insured persons include all persons who either—

(*a*) are engaged in some regular occupation and are wholly or mainly dependent for their livelihood on the earnings derived by them from that occupation; or

(*b*) have been insured persons for a period of five years or upwards;

and the persons possessing such qualifications who become or continue to be insured persons are in this Act referred to as voluntary contributors: Provided always that no person whose total income from all sources exceeds one hundred and sixty pounds a year shall be entitled to be a voluntary contributor unless he has been insured under this Part of this Act for a period of five years or upwards.

(4) Except as herein-after provided, nothing in this section shall require or authorise a person of the age of sixty-five or upwards not previously insured under this Part of this Act to become so insured.

Exemptions.

2.—(1) Where any person employed within the meaning of this Part of this Act proves that he is either—

(*a*) in receipt of any pension or income of the annual value of twenty-six pounds or upwards not dependent upon his personal exertions; or

(*b*) ordinarily and mainly dependent for his livelihood upon some other person;

he shall be entitled to a certificate exempting him from the liability to become or to continue to be insured under this Part of this Act.

(2) All claims for exemption shall be made to, and certificates of exemption granted by, the Insurance Commissioners in the prescribed manner and subject to the prescribed conditions, and may be so made and granted before, as well as after, the commencement of this Act: Provided that the regulations of the Insurance Commissioners may provide for claims under this section being made to and certificates granted by approved societies and Insurance Committees herein-after constituted.

Contributions.

Contributions by insured persons, employers, and the Treasury.

3. Except as otherwise provided by this Act, the funds for providing the benefits conferred by this Part of this Act and defraying the expenses of the administration of those benefits shall be derived as to seven-ninths (or, in the case of women, three-fourths) thereof from contributions made by or in respect of the contributors by themselves or their employers, and as to the remaining two-ninths (or, in the case of women, one quarter) thereof from moneys provided by Parliament.

Rates and rules for contributions by employed contributors and their employers.

4.—(1) The contributions payable in respect of employed contributors shall be at the rate specified in Part I. of the Second Schedule to this Act (herein-after referred to as the employed rate), and shall comprise contributions by the contributors and contributions by their employers at the rates specified in that Part of that schedule, and shall be payable at weekly or other prescribed intervals:

Provided that, in the case of an employed contributor of the age of twenty-one or upwards whose remuneration does not include the provision of board and lodging by the employer and the rate of whose remuneration does not exceed two shillings a working day, such part of the contributions payable in respect of him as is specified in the said schedule shall be paid out of moneys provided by Parliament.

(2) The employer shall, in the first instance, pay both the contributions payable by himself (in this Act referred to as the employer's contributions), and also on behalf of the employed contributor the contributions payable by such contributor, and shall be entitled to recover from the contributor by deduction from his wages or otherwise the amount of the contributions so paid by him on behalf of the contributor, in accordance with the rules set out in the Third Schedule to this Act.

(3) Contributions in respect of employed contributors shall cease to be payable on their attaining the age of seventy.

(4) The employer of a person who though employed within the meaning of this Part of this Act is not insured under this Part of this Act by reason either—

(*a*) that, not having previously been an insured person, he has become employed within the meaning of this Part of this Act after attaining the age of sixty-five; or

(*b*) that he has obtained and still holds a certificate of exemption under this Part of this Act;

shall be liable to pay the like contributions as would have been payable as employer's contributions if such person had been an employed contributor, and such contributions shall be carried to such account and dealt with in such manner as may be prescribed by regulations made by the Insurance Commissioners, and those regulations may provide for applying the sums standing to the credit of the account, or any part thereof, for the benefit of any persons in respect of whom contributions have been so paid, in the event of such persons subsequently becoming employed contributors.

Rates and rules for contributions by voluntary contributors.

5.—(1) The contributions payable by voluntary contributors shall be at the rate appropriate to their age at the date of their entry into insurance ascertained in accordance with a table to be prepared by the Insurance Commissioners (herein-after referred to as the voluntary rate) and shall be paid by the voluntary contributors at weekly or other prescribed intervals:

Provided that—

(*a*) In the case of a person who enters into insurance within six months after the commencement of this Act, the voluntary rate shall, if he is below the age of forty-five at the date of entering into insurance be the same as the employed rate, and, if he is of the age of forty-five or upwards, be such rate, ascertained according to a table to be prepared by the Insurance Commissioners, as, having regard to his age at that date, will be sufficient to cover seven-ninths, or, in the case of a woman, three-fourths, of the benefits conferred by this Part of this Act;

(*b*) Where a person, having been an employed contributor for five years or upwards, becomes a voluntary contributor, the rate of contribution payable by him shall continue to be the employed rate.

(2) Contributions by voluntary contributors shall cease to be payable on their attaining the age of seventy.

Change from voluntary rate to employed rate and vice versâ.

6.—(1) Where an insured person has become a member of an approved society as a voluntary contributor, the rate of contributions payable in respect of him shall, notwithstanding that he becomes employed within the meaning of this Part of this Act, remain the voluntary rate, unless at any time after becoming so employed he gives notice in the prescribed manner of his wish to be transferred to the employed rate.

(2) Where he gives such notice, the rate payable in respect of him shall be the employed rate, but in such case the rate of sickness benefit payable in respect of him shall be such reduced rate as would have been payable had he not previously been insured, subject to such addition as may, according to tables prepared by the Insurance Commissioners, represent the value at that time of the contributions previously paid by him.

(3) Where he does not give such notice, and until he does so, the contributions payable by his employer in respect of him during any period of employment within the meaning of this Part of this Act shall be the same as if he had been transferred to the employed rate, and the contributions so paid by the employer shall be treated as in part satisfaction of the contributions at the voluntary rate payable by the contributor, and, if the contributor fails to pay the balance, he shall be deemed to be in arrear to that extent.

(4) Where an employed contributor within five years from his entry into insurance ceases to be employed within the meaning of this Part of this Act and becomes a voluntary contributor, he shall be deemed to be in arrear, as from the date when he so became a voluntary contributor, to the amount of the difference between the aggregate contributions paid by or in respect of him since his entry into insurance and the aggregate of the contributions which would have been payable

by him had he throughout been a voluntary contributor, and the difference between any reserve value which is credited to the approved society of which he is a member in respect of him and the reserve value (if any) which would have been credited to that society in respect of him had he originally become a voluntary contributor shall be cancelled.

7. Subject to the provisions of this Act, the Insurance Commissioners may make regulations providing for any matters incidental to the payment and collection of contributions payable under this Part of this Act, and in particular for—

Power to make regulations for the payment of contributions.

(*a*) payment of contributions whether by means of adhesive or other stamps affixed to or impressed upon books or cards, or otherwise, and regulating the manner, times, and conditions in, at, and under which such stamps are to be affixed or impressed or payments are otherwise to be made;

(*b*) the entry in or upon books or cards of particulars of contributions paid and benefits distributed in the case of the insured persons to whom such books or cards belong;

(*c*) the issue, sale, custody, production, and delivery up of books or cards and the replacement of books or cards which have been lost, destroyed, or defaced.

Benefits.

8.—(1) Subject to the provisions of this Act, the benefits conferred by this Part of this Act upon insured persons are—

Benefits.

(*a*) Medical treatment and attendance, including the provision of proper and sufficient medicines, and such medical and surgical appliances as may be prescribed by regulations to be made by the Insurance Commissioners (in this Act called "medical benefit");

(*b*) Treatment in sanatoria or other institutions or otherwise when suffering from tuberculosis, or such other diseases as the Local Government Board with the approval of the Treasury may appoint (in this Act called "sanatorium benefit");

(*c*) Periodical payments whilst rendered incapable of work by some specific disease or by bodily or mental disablement, of which notice has been given, commencing from the fourth day after being so rendered incapable of work, and continuing for a period not exceeding twenty-six weeks (in this Act called "sickness benefit");

(*d*) In the case of the disease or disablement continuing after the determination of sickness benefit, periodical payments so long as so rendered incapable of work by the disease or disablement (in this Act called "disablement benefit");

(*e*) Payment in the case of the confinement of the wife or, where the child is a posthumous child, of the widow of an insured person, or of any other woman who is an insured person, of a sum of thirty shillings (in this Act called "maternity benefit");

(*f*) In the case of persons entitled under this Part of this Act to any of the further benefits mentioned in Part II. of the Fourth Schedule to this Act (in this Act called "additional benefits") such of those benefits as they may be entitled to.

(2) Subject to the provisions of this Part of this Act, the rates of sickness benefit and disablement benefit to which insured persons are entitled shall be the rates specified in Part I. of the Fourth Schedule to this Act.

(3) In the case of insured persons who have attained the age of seventy, the right to sickness benefit and disablement benefit shall cease.

(4) No insured person shall be entitled to any benefit during any period when he is resident either temporarily or permanently outside the United Kingdom:

Provided that, if a person is temporarily resident in the Isle of Man or the Channel Islands, he shall not, whilst so resident, be disentitled to benefits other than medical benefit, and that, if with the consent of the society or committee by which the benefit is administered a person is temporarily resident outside the United Kingdom elsewhere than in the Isle of Man or the Channel Islands, the society or committee may allow him, whilst so resident, to continue to receive sickness or disablement benefit, and that a person resident out of the United Kingdom shall not be disentitled to maternity benefit in respect of the confinement of his wife, if his wife at the time of her confinement is resident in the United Kingdom.

(5) Where an insured person, having been in receipt of sickness benefit, recovers from the disease or disablement in respect of which he receives such benefit, any subsequent disease or disablement, or a recurrence of the same disease or disablement, shall be deemed to be a continuation of the previous disease or disablement, unless in the meanwhile a period of at least twelve months has elapsed, and at least fifty weekly contributions have been paid by or in respect of him.

(6) Where a woman confined of a child is herself an insured person, and is a married woman, or, if the child is a posthumous child, a widow, she shall be entitled to sickness benefit or disablement benefit (as the case may be) in respect of her confinement in addition to the maternity benefit to which she or her husband may be entitled, but, save as aforesaid, a woman shall not be entitled to sickness benefit or disablement benefit for a period of four weeks after her confinement, unless suffering from disease or disablement not connected directly or indirectly with her confinement.

Medical benefit shall not include any right to medical treatment or attendance in respect of a confinement.

(7) Where a pension or superannuation allowance is payable by an approved society in whole or in part as an additional benefit under this Part of this Act, or out of any fund to which contributions have been made in accordance with paragraph (10) of Part II. of the Fourth Schedule to this Act, it may be made a condition of the grant of the pension or allowance that a member of the society shall, whilst in receipt of such pension or allowance, be excluded in whole or in part from his right to sickness benefit and disablement benefit, or to either of such benefits.

(8) Notwithstanding anything in this Part of this Act no insured person shall be entitled—

(*a*) to medical benefit during the first six months after the commencement of this Act;

(*b*) to sickness benefit, unless and until twenty-six weeks have elapsed since his entry into insurance, and at least twenty-six weekly contributions have been paid by or in respect of him;

(*c*) to disablement benefit, unless and until one hundred and four weeks have elapsed since his entry into insurance, and at least one hundred and four weekly contributions have been paid by or in respect of him;

(*d*) to maternity benefit, unless and until twenty-six, or in the case of a voluntary contributor fifty-two, weeks have elapsed since his entry into insurance, and at least twenty-six, or in the case of a voluntary contributor fifty-two, weekly contributions have been paid by or in respect of him.

(9) As soon as the sums credited to approved societies as reserve values in respect of persons who enter into insurance within one year after the commencement of this Act have been written off in manner provided by this Part of this Act, the benefits payable to insured persons under this Part of this Act shall be extended in such manner as Parliament may determine.

Reduced rates of benefit in certain cases.

9.—(1) In the case of insured persons who are under the age of twenty-one years and unmarried, sickness benefit and disablement benefit shall be at the reduced rates specified in Table B. in Part I. of the Fourth Schedule to this Act:

Provided that, where any such person being a member of an approved society proves that one or more members of his family are wholly or mainly dependent upon him, the society shall dispense with such reduction.

(2) Where, in the case of any insured persons, the rate of sickness benefit or disablement benefit (as the case may be) exceeds two-thirds of the usual rate of wages or other remuneration earned by such persons, the rate of such benefit may be reduced to such an extent as the society or committee administering the benefit, with the consent of the Insurance Commissioners, determines; but, where such reduction is made,

provision shall be made by the society or committee, with the like consent, for the grant of one or more additional benefits of a value equivalent to such reduction.

(3) The rate of sickness benefit shall be reduced in accordance with Table C. in Part I. of the Fourth Schedule to this Act in the case of any insured person who becomes an employed contributor within one year after the commencement of this Act, and is at the date of so becoming an employed contributor of the age of fifty years or upwards and the number of weekly contributions paid by or in respect of him is, at the date of any claim by him for such benefit, less than five hundred.

(4) In the case of every person who, not having been previously insured under this Part of this Act, becomes an employed contributor subsequently to the expiration of one year from the commencement of this Act, and is, at the time of so becoming an employed contributor, of the age of seventeen or upwards, the rate of sickness benefit to which he is entitled shall (unless he proves that his time since he attained the age of seventeen has been spent in a school or college, in indentured apprenticeship or otherwise under instruction without wages, or otherwise in the completion of his education, or unless he undertakes himself to pay the difference between the voluntary rate and the employed rate, or pays to the Insurance Commissioners, to be credited to the society, such capital sum as will be sufficient to secure him benefits at the full rate) be such reduced rate as may be fixed in accordance with tables to be prepared by the Insurance Commissioners, but not in any case less than five shillings a week:

Provided that, if at any time subsequently such person would become entitled to sickness benefit at a higher rate if he were treated as having become an employed contributor as from the time when he attained the age of seventeen, or as from the expiration of one year after the commencement of this Act, whichever date may be the later, and as being in arrear for all contributions which, had he become an employed contributor at that date, would have been payable in respect of him between that date and the date when he actually became an employed contributor, he shall, if he so elects, be entitled to be so treated.

Reduced rates of benefits where contributions are in arrear.

10.—(1) Where an insured person being a member of an approved society is in arrear to an amount greater than thirteen weekly contributions a year on the average since his entry into insurance, his right to benefits under this Part of this Act other than medical benefit, sanatorium benefit, and maternity benefit shall be suspended, and, where he is in arrears to an amount greater than twenty-six weekly contributions a year on the average since his entry into insurance, his right to medical benefit, sanatorium benefit, and maternity benefit shall be suspended, and at the expiration of the calendar year next after the date when he becomes suspended from all benefits any sums credited to the society in respect of him, calculated in the prescribed manner, shall, if his right to benefits still continues to be suspended, be carried to such account and dealt with in such manner as may be prescribed for the benefit (except so far as such sums comprise sums in respect of a reserve value) of the society or any other society to which such person may subsequently be transferred:

Provided that, if at any time after suspension from any such benefits he becomes employed within the meaning of this Part of this Act, he shall be entitled to those benefits at such rate, after the lapse of such time and after the payment of such number of contributions, as would have been applicable to his case had he not previously been an insured person, but, if he so elects at any time, the benefits to which he is entitled shall be such as he would be entitled to, were the period from the time of his original entry into insurance taken as a whole.

(2) Where an employed contributor claiming sickness benefit is at the date of such claim in arrears but the arrears are less than as aforesaid, then the rate of sickness benefit shall be reduced to a sum not less than five shillings a week, or the time when sickness benefit commences deferred, proportionately to the amount of arrears in accordance with the table in the Fifth Schedule to this Act.

(3) Where a voluntary contributor is in arrears, he shall be liable to such proportionate reduction of benefits as may be prescribed.

(4) In calculating arrears of contributions, no account shall be taken of any arrears accruing—

(*a*) during any period when the person in question has been, or but for this section or any other provision of this Act disentitling a person to such benefit, would have been, in receipt of sickness benefit or disablement benefit; or

(*b*) in the case of a woman who, being an insured person, is herself entitled to maternity benefit, during two weeks before and four weeks after her delivery, or in the case of maternity benefit payable in respect of the posthumous child of an insured person, during the period subsequent to the father's death; or

(*c*) in the case of an employed contributor, during the first twelve months after the commencement of this Act;

but, save as aforesaid, contributions shall be deemed to be payable in respect of every week from the date of entry into insurance.

(5) Where an insured person has paid any arrears of contributions payable by or in respect of him which accrued during the calendar year current at the date of payment and the previous calendar year, he shall be treated for the purposes of this section as if the arrears so paid had never become due:

Provided that, if such person is at the date of payment or subsequently within one month thereafter becomes incapable of work by reason of disease or disablement, he shall, for the purposes of this section, be deemed to be still in arrear in respect of the amount so paid until after the expiration of one month from the date of such payment.

(6) Any approved society may, if it thinks fit, excuse any part of the arrears which may have accrued due by or in respect of any member who is an employed contributor during any period of unemployment not exceeding such part as would have been payable by the employer had the member continued in his last employment, and in such case the amount of the arrears of that member shall be reduced accordingly.

(7) The average amount of arrears for the purposes of this section shall be calculated in such manner as the Insurance Commissioners may prescribe.

Provisions in the case of contributors entitled to compensation or damages. 6 Edw. 7. c. 58. 43 & 44 Vict. c. 42.

11.—(1) Where an insured person has received or recovered or is entitled to receive or recover, whether from his employer or any other person, any compensation or damages under the Workmen's Compensation Act, 1906, or any scheme certified thereunder, or under the Employers' Liability Act, 1880, or at common law, in respect of any injury or disease, the following provisions shall apply:—

(*a*) No sickness benefit or disablement benefit shall be paid to such person in respect of that injury or disease in any case where any weekly sum or the weekly value of any lump sum paid or payable by way of compensation or damages is equal to or greater than the benefit otherwise payable to such person, and, where any such weekly sum or the weekly value of any such lump sum is less than the benefit in question, such part only of the benefit shall be paid as, together with the weekly sum or the weekly value of the lump sum, will be equal to the benefit:

(*b*) The weekly value of any such lump sum as aforesaid may be determined by the society or committee by which the sickness and disablement benefits payable to such person are administered, but, if the insured person is aggrieved by such determination, the matter shall be settled in manner provided by this Part of this Act for settling disputes between insured persons and societies or committees:

(*c*) Where an agreement is made as to the amount of such compensation as aforesaid, and the amount so agreed is less than ten shillings a week, or as to the redemption of a weekly payment by a lump sum, under the Workmen's Compensation Act, 1906, the employer shall, within three days thereafter, or such longer time as may be prescribed, send to the Insurance Commissioners, or to the society or committee concerned, notice in writing of such agreement giving the prescribed particulars thereof, and proviso (*d*) to paragraph (9) of the Second Schedule of the Workmen's Compensation Act, 1906 (which relates to the powers cf registrars of county courts to refuse to record memoranda of agreements and to refer the matter to the judge) shall, in cases where the workman is an insured person, apply to agreements as to the amount of compensation in like manner as to agreements as to the redemption of weekly payments by lump sums.

(2) Where an insured person appears to be entitled to any such compensation or damages as aforesaid and unreasonably refuses or neglects to take proceedings to enforce his claim, it shall be lawful for the society or committee concerned, either—

(*a*) at its own expense, to take in the name and on behalf of such person such proceedings, in which case any compensation or damages recovered shall be held by the society or committee as trustee for the insured person; or

(*b*) to withhold payment of any benefit to which apart from this section such person would be entitled.

In the event of the society or committee concerned taking proceedings as aforesaid and failing in the proceedings, it shall be responsible for the costs of the proceedings as if it were claiming on its own account.

(3) Nothing in this section shall prevent the society or committee paying to an insured person benefit by way of advance pending the settlement of his claim for compensation or damages, and any advance so made shall, without prejudice to any other method of recovery, be recoverable by deductions from or suspension of any benefits which may subsequently become payable to such person.

Provisions in the case of contributors who are inmates of hospitals, &c.

12.—(1) No payment shall be made on account of sickness disablement or maternity benefit to or in respect of any person during any period when the person to or in respect of whom the benefit is payable is an inmate of any workhouse, hospital, asylum, convalescent home, or infirmary, supported by any public authority or out of any public funds or by a charity, or voluntary subscriptions, or of a sanatorium or similar institution approved under this Part of this Act.

(2) During such period as aforesaid the sum which would otherwise have been payable on account of any such benefit to or in respect of such person—

(*a*) shall be paid to or applied in whole or in part for the relief or maintenance of his dependants (if any) in such manner as the society or committee by which the benefit is administered, after consultation whenever possible with such person, thinks fit; or

(*b*) if such person, being a member of an approved society, is an inmate of a sanatorium or similar institution in which he is receiving treatment in accordance with the provisions of this Part of this Act, and has no dependants, shall be paid to the Insurance Committee towards the general purposes thereof; or

(*c*) if such person, being a member of an approved society, is an inmate of a hospital, asylum, convalescent home, or infirmary supported by a charity or by voluntary subscriptions and has no dependants, shall, if an agreement for the purpose has been made between the society or committee and the hospital, asylum, convalescent home, or infirmary, be paid, in whole or in part, according to such agreement, towards the maintenance of such person in the hospital, asylum, convalescent home, or infirmary:

Provided that—

(i) any part of such sum which is not so applied as aforesaid may, if the society or committee thinks fit, be applied in the provision of any surgical appliances required for the insured person or otherwise for his benefit;

(ii) if such an inmate as aforesaid is a married woman or widow, and the sums so payable or applicable as aforesaid include the sums which would have been payable both on account of sickness or disablement benefit and on account of maternity benefit, no part of the sum which would otherwise be payable on account of maternity benefit shall be paid or applied for the relief or maintenance of her dependants, but such sum may be paid to the hospital, asylum, convalescent home, or infirmary of which she is an inmate as aforesaid in like manner as if she had no dependants; and

(iii) where any person who is entitled to any benefit under this Part of this Act, or a woman whose husband is entitled to maternity benefit in respect of her confinement, applies for admission to any workhouse infirmary, admission thereto shall not be refused on the ground only of the right to such benefit.

Power to vary benefits in certain cases.

13.—(1) Any approved society may submit to the Insurance Commissioners a scheme for substituting any of the additional benefits for sickness benefit and disablement benefit or either of those benefits or any part thereof, and the scheme may provide as respects the members of the society to whom the scheme applies that any such benefits shall be abolished or the rate thereof reduced or, in the case of sickness benefit, the commencement thereof postponed; and the scheme may contain such incidental and consequential provisions as appear necessary for adapting the other provisions of this Part of this Act to the members to whom the scheme applies.

(2) The scheme shall apply either to all members of the society or to any specified class thereof or to any members of the society who may elect to come under the scheme, according as may be provided by the scheme.

(3) A scheme made under this section shall not have any effect unless and until confirmed by the Insurance Commissioners, and the Insurance Commissioners shall not confirm any such scheme unless satisfied that the value of the additional

benefits conferred by the scheme is equivalent to the value of the benefits for which they are substituted, and that, in view of the special circumstances of the members or class of members intended to come under the scheme, there is good reason for substituting the additional benefits conferred by the scheme for the benefits for which they are substituted.

(4) Nothing in this section or in any scheme made thereunder shall affect the amount of any reserve value to be credited to a society in respect of a member, and such reserve values shall be calculated as if the scheme had not been made.

Administration of Benefits.

Administration of benefits by approved societies or the Insurance Committee.

14.—(1) Sickness benefit, disablement benefit, and maternity benefit shall be administered, in the case of insured persons who are members of an approved society, by and through the society, or a branch thereof, and in other cases by and through the Insurance Committees; medical and sanatorium benefits shall in all cases be administered by and through the Insurance Committees, additional benefits shall be administered by the society or branch of which the persons entitled thereto are members, except where such benefits are in the nature of medical benefits, in which case they shall be administered by and through the Insurance Committees.

Rule of approved Soc? that only cert: of panel Doctor will be accepted held ultra vires (per Cur) Heard v Pickthorne 1913 3 KB 299

(2) Subject to the provisions of this Part of this Act, an approved society may, with the consent of the Insurance Commissioners, provide for the application of its existing rules or make new rules with regard to the manner and time of paying or distributing, and mode of calculating, benefits, suspension of benefits, notices and proof of disease or disablement, behaviour during disease or disablement, and the visiting of sick or disabled persons, and for the infliction and enforcement of penalties (whether by way of fines or suspension of benefits or otherwise) in the case of any member being an insured person who is guilty of any breach of any such rule, or of any imposition or attempted imposition in respect of any benefit under this Part of this Act, and may, from time to time with the like consent, alter or repeal any such rules; but—

(*a*) no fine imposed under any such rule shall exceed ten shillings or, in the case of repeated breaches of rules, twenty shillings;

(*b*) no such rule shall provide for the suspension of any benefit for a period exceeding one year;

(*c*) every such rule relating to the visiting of insured persons by visitors appointed by the society shall provide that women shall not be visited otherwise than by women;

(*d*) every such rule relating to behaviour during disease or disablement shall be in the prescribed form;

(*e*) no such rule shall prescribe any penalty, nor shall any insured person be subject to any penalty, whether by suspension of benefit or otherwise, on account of the refusal by any such person to submit to a surgical operation, or vaccination, or inoculation of any kind, unless such refusal in the case of a surgical operation of a minor character is considered by the society, or on appeal the Insurance Commissioners, unreasonable;

(*f*) No such rule shall provide for inflicting as a penalty for breach of rules or imposition or attempted imposition on the part of an insured person suspension of maternity benefit in respect of the confinement of his wife, where his wife has not herself been guilty of any such breach, imposition, or attempted imposition.

(3) The Insurance Committee shall, subject to the approval of the Insurance Commissioners, make rules in respect of any of the matters mentioned in the last preceding subsection with regard to the administration of benefits by the committee;

Provided that no such rule relating to anything to be done by, to, or through the Post Office shall be made without the consent of the Postmaster-General.

(4) Where, under any such rule as aforesaid, payment of sickness or disablement benefit is suspended on the ground that the disease or disablement has been caused by the misconduct of the person claiming the benefit, such person shall not thereby become disentitled to medical benefit.

(5) Where under any Act regulating the constitution of a society which becomes an approved society the rules of the society are required to be registered, any rules approved under this section by the Insurance Commissioners shall forthwith be registered, but till so registered shall have effect as if they had been duly registered.

Administration of medical benefit.

15.—(1) Every Insurance Committee shall, for the purpose of administering medical benefit, make arrangements with duly qualified medical practitioners in accordance with regulations made by the Insurance Commissioners.

(2) The regulations made by the Insurance Commissioners shall provide for the arrangements made being subject to the approval of the Insurance Commissioners and being such as to secure that insured persons shall, save as herein-after provided, receive adequate medical attendance and treatment from the medical practitioners with whom arrangements are so made, and shall require the adoption by every Insurance Committee of such system as will secure—

(*a*) the preparation and publication of lists of medical practitioners who have agreed to attend and treat insured persons whose medical benefit is administered by the committee;

(*b*) a right on the part of any duly qualified medical practitioner who is desirous of being included in any such list as aforesaid of being so included, but, where the Insurance Commissioners, after such inquiry as may be prescribed, are satisfied that his continuance in the list would be prejudicial to the efficiency of the medical service of the insured, they may remove his name from the list;

(*c*) a right on the part of any insured person of selecting, at such periods as may be prescribed, from the appropriate list the practitioner by whom he wishes to be attended and treated, and, subject to the consent of the practitioner so selected, of being attended and treated by him;

(*d*) the distribution amongst, and, so far as practicable, under arrangements made by, the several practitioners whose names are on the lists, of the insured persons who after due notice have failed to make any selection, or who have been refused by the practitioner whom they have selected;

(*e*) the provision of medical attendance and treatment, on the same terms as to remuneration as those arranged with respect to insured persons, to members of any friendly society which, or a separate section of which, becomes an approved society who were such members at the date of the passing of this Act, and who are not entitled to medical benefit under this Part of this Act by reason either that they are of the age of sixty-five or upwards at the date of the commencement of this Act, or that being subject to permanent disablement at that date they are not qualified to become insured persons:

Provided that, if the Insurance Commissioners are satisfied after inquiry that the practitioners included in any list are not such as to secure an adequate medical service in any area, they may dispense with the necessity of the adoption of such system as aforesaid as respects that area, and authorise the Committee to make such other arrangements as the Commissioners may approve; or the Commissioners may themselves make such arrangements as they think fit, or may suspend the right to medical benefit in respect of any insured persons in the area for such period as they think fit, and pay to each such person a sum equal to the estimated cost of his medical benefit during that period, and, where the Commissioners take any such action themselves, they shall retain and apply for the purpose such part of the sums payable to the Insurance Committee in respect of medical benefit as may be required.

(3) The regulations made by the Insurance Commissioners shall authorise the Insurance Committee by which medical benefit is administered to require any persons whose income exceeds a limit to be fixed by the Committee, and to allow any other persons, in lieu of receiving medical benefit under such arrangements as aforesaid, to make their own arrangements for receiving medical attendance and treatment (including medicines and appliances), and in such case the Committee shall, subject to the regulations, contribute from the funds out of which

medical benefit is payable towards the cost of medical attendance and treatment (including medicines and appliances) for such persons sums not exceeding in the aggregate the amounts which the Committee would otherwise have expended in providing medical benefit for them.

(4) The regulations shall provide that, in the case of persons who are entitled to receive medical attendance and treatment under any system or through any institution existing at the time of the passing of this Act and approved by the Insurance Committee and the Insurance Commissioners, such medical attendance and treatment may be treated as, or as part of, their medical benefit under this Part of this Act, and may provide for the Committee contributing towards the expenses thereof the whole or any part of the sums which would be contributed in the case of persons who have made their own arrangements as aforesaid, so, however, that such regulations shall secure that no person be deprived of his right, if he so elects, of selecting the duly qualified medical practitioner by whom he wishes to be attended and treated, in accordance with the foregoing provisions of this section.

(5) Every such Committee shall also make provision for the supply of proper and sufficient drugs and medicines and prescribed appliances to insured persons in accordance with regulations made by the Insurance Commissioners, which shall provide for the arrangements made being subject to the approval of the Insurance Commissioners and being such as to enable insured persons to obtain from any persons, firms, or bodies corporate with whom arrangements have been made such drugs, medicines, and appliances if ordered by the medical practitioner by whom they are attended, and shall require the adoption by every Insurance Committee of such a system as will secure—

(*a*) The preparation and publication of lists of persons, firms, and bodies corporate who have agreed to supply drugs, medicines, and appliances to insured persons whose medical benefit is administered by the Committee, according to such scale of prices as may be fixed by the Committee;

(*b*) A right on the part of any person, firm, or body corporate desirous of being included in any such list as aforesaid of being so included, for the purpose of supplying such drugs, medicines, and appliances as such person, firm, or body corporate is entitled by law and authorised by the Committee to supply, except in cases where the Insurance Commissioners after inquiry are satisfied that the inclusion or continuance of the person, firm, or body corporate in such list would be prejudicial to the efficiency of the service:

Provided that—

(i) If the Insurance Commissioners are satisfied that the scale of prices fixed by the Committee is reasonable, but that the persons, firms, or bodies corporate included in any list are not such as to secure an adequate and convenient supply of drugs, medicines, and appliances in any area, they may dispense with the necessity of the adoption of such system as aforesaid as respects that area and authorise the Committee to make such other arrangements as the Commissioners may approve;

(ii) Except as may be provided by regulations made by the Insurance Commissioners, no arrangement shall be made by the Insurance Committee with a medical practitioner under which he is bound or agrees to supply drugs or medicine to any insured persons;

(iii) Subject to the regulations made by the last foregoing proviso the regulations shall prohibit arrangements for the dispensing of medicines being made with persons other than persons, firms, or bodies corporate entitled to carry on the business of a chemist and druggist under the provisions of the Pharmacy Act, 1868, as amended by the Poisons and Pharmacy Act, 1908, who undertake that all medicines supplied by them to insured persons shall be dispensed either by or under the direct supervision of a registered pharmacist or by a person who, for three years immediately prior to the passing of this Act, has acted as a dispenser to a duly qualified medical practitioner or a public institution;

31 & 32 Vict. c. 121.
8 Edw. 7. c. 55.

(iv) Nothing in this Act shall interfere with the rights and privileges conferred by the Apothecaries Act, 1815, upon any person qualified under that Act to act as an assistant to any apothecary in compounding and dispensing medicines.

55 Geo. 3. c. 194.

(6) There shall in each year be paid to the Insurance Committee for each county or county borough out of moneys credited to a society which has members resident in the county or county borough such sum in respect of the medical benefit of such members and the cost of administration thereof as may be agreed between the society and committee or, in default of agreement, may be determined by the Insurance Commissioners.

(7) If in any year the amount payable to an Insurance Committee in respect of all persons for the administration of whose medical benefit it is responsible is insufficient to meet the estimated expenditure thereon, the Committee may, through the Insurance Commissioners, transmit to the Treasury and to the council of the county or county borough an account showing the amount so payable and the estimated expenditure, and the Treasury and the county council or the council of the county borough may, if they think fit and if satisfied that the amounts so payable and the proposed expenditure are reasonable and proper in the circumstances, sanction the expenditure.

(8) The Treasury and the council of the county or county borough sanctioning any such expenditure as aforesaid shall thereupon each be liable to make good, in the case of the Treasury out of moneys provided by Parliament, and, in the case of the council of a county or county borough, out of the county fund or borough fund or borough rate, as the case may be, one half of any sums so sanctioned by them and expended by the Insurance Committee on medical benefit in the course of the year in excess of the amounts so payable to the Insurance Committee as aforesaid.

Administration of sanatorium benefit.

16.—(1) For the purpose of administering sanatorium benefit, Insurance Committees shall make arrangements, to the satisfaction of the Insurance Commissioners,—

(*a*) with a view to providing treatment for insured persons suffering from tuberculosis or any other such disease as aforesaid in sanatoria and other institutions, with persons or local authorities (other than poor law authorities) having the management of sanatoria or other institutions approved by the Local Government Board, which treatment it shall be lawful for a local authority to provide as respects insured persons resident outside as well as respects those resident within their area; and

(*b*) with a view to providing treatment for such persons otherwise than in sanatoria or other institutions, with persons and local authorities (other than poor law authorities) undertaking such treatment in a manner approved by the Local Government Board, which treatment (including the appointment of officers for the purpose) it shall be lawful for a local authority, if so authorised by the Local Government Board, to undertake.

(2) The sums available for defraying the expenses of sanatorium benefit in each year shall be—

(*a*) one shilling and threepence in respect of each insured person resident in the county or county borough, payable out of the funds out of which benefits are payable under this Part of this Act;

(*b*) one penny in respect of each such person payable out of moneys provided by Parliament:

Provided that the Insurance Commissioners may retain the whole or any part of the sums so payable out of moneys provided by Parliament to be applied, in accordance with regulations made by the Commissioners, for the purposes of research.

(3) An insured person shall not be entitled to sanatorium benefit unless the Insurance Committee recommends the case for such benefit.

(4) An Insurance Committee may, out of the sums available for defraying the expenses of sanatorium treatment, defray in whole or in part the expenses of the conveyance of an insured

person to or from any sanatorium or institution to which he may be sent for treatment therein, or may make advances for the purpose.

Power to extend sanatorium benefit to dependants.

17.—(1) The Insurance Committee for any county or county borough may, if it thinks fit, extend sanatorium benefit to the dependants of the insured persons resident in the county, or any part of the county, or in the county borough, or any class of such dependants, and in such case the arrangements to be made by the committee shall include arrangements for the treatment of such dependants, and the sums available for sanatorium benefit shall be applicable to the purpose.

(2) If in any year the amount available for defraying the expenses of sanatorium benefit is insufficient to meet the estimated expenditure on sanatorium benefit for insured persons and such dependants, the Insurance Committee may, through the Insurance Commissioners, transmit to the Treasury and the council of the county or county borough an account showing the estimated expenditure for the purpose and the amount of the sums available for defraying the expenses of sanatorium benefit, and the Treasury and council may if they think fit sanction such expenditure.

(3) The Treasury and the council of the county or county borough sanctioning such expenditure as aforesaid shall thereupon each be liable to make good, in the case of the Treasury out of moneys provided by Parliament, and, in the case of the council of the county or county borough, out of the county fund or borough fund or borough rate, as the case may be, one-half of any sums so sanctioned by them and expended by the Insurance Committee on sanatorium benefit for insured persons and their dependants in the course of the year in excess of the amount available for defraying the expenses of the committee on sanatorium benefit.

Administration of maternity benefit.

18.—(1) Where the mother of the child is herself an insured person, and is not the wife or, in the case of a posthumous child, the widow of an insured person, maternity benefit shall be treated as a benefit for her and shall be administered in cash or otherwise by the approved society of which she is a member, or, if she is not a member of any society, by the Insurance Committee; in any other case, the benefit shall be treated as a benefit for her husband and shall be administered in cash or otherwise by the approved society of which he is a member, or, if he is not a member of any such society, by the Insurance Committee, and shall be payable in respect of a posthumous child as if the husband were still alive:

Provided always that the mother shall decide whether she shall be attended by a duly qualified medical practitioner or by a duly certified midwife, and shall have free choice in the selection of such practitioner or midwife, but if, in the case of a midwife being selected, a duly qualified medical practitioner is subsequently summoned in pursuance of the rules made under the Midwives Act, 1902, the prescribed fee shall, subject to regulations made by the Insurance Commissioners, be recoverable as part of the maternity benefit.

2 Edw. 7. c. 17.

(2) In deciding whether or not they shall make an order under the Bastardy Laws Amendment Act, 1872, for the payment of the expenses incidental to the birth of a child, the justices shall not take into consideration the fact that the mother of the child is entitled to receive maternity benefit under this Part of this Act.

35 & 36 Vict. c. 65.

Punishment of husband in certain cases of neglect.

19. Without prejudice to any other legal liability, where, under the immediately foregoing section, which relates to the administration of maternity benefit, of this Act, maternity benefit is given or paid to the husband, it shall be the duty of the husband to make adequate provision to the best of his power for the maintenance and care of his wife during her confinement, and for a period of four weeks after her delivery, and if he neglects or refuses to do so he shall be liable upon summary conviction to imprisonment, with or without hard labour, for any term not exceeding one month.

Reinsurance for the purposes of maternity benefit.

20. For the purpose of the administration of maternity benefit, the Insurance Commissioners may, if they think fit, by special order provide for the reinsurance with them of the liabilities of all approved societies in respect of maternity benefit, and the order may provide for the method of calculating the premiums to be charged against the several societies in respect of such reinsurances and may contain such other incidental, consequential, and supplemental provisions as may appear necessary for the purpose.

Power to subscribe to hospitals, &c.

21. It shall be lawful for an approved society or Insurance Committee to grant such subscriptions or donations as it may think fit to hospitals dispensaries and other charitable institutions, or for the support of district nurses, and to appoint nurses for the purpose of visiting and nursing insured persons, and any sums so expended shall be treated as expenditure on such benefits under this Part of this Act as may be prescribed.

Power of councils of boroughs and districts to contribute to certain expenditure on medical and sanatorium benefits.

22.—(1) The council of any borough or urban or rural district may agree with the council of the county in which the borough or district is situate to repay to the latter council the whole or any part of the sums payable by that council in accordance with the provisions of this Part of this Act towards the excess expenditure on medical or sanatorium benefit so far as such excess is properly attributable to the borough or district, and any sums payable by the council of the borough or district in pursuance of such an agreement shall be payable, in the case of a borough, out of the borough fund or borough rate, and, in any other case, as part of the general expenses incurred by the council in the execution of the Public Health Acts.

(2) The agreement may provide that the county council shall not raise any sum on account of any expenditure incurred by

them under this Part of this Act for the purpose to which the agreement relates within the borough or urban or rural district the council of which has entered into such agreement, during the continuance of such agreement.

Approved Societies.

Conditions for the approval of approved societies.

23.—(1) Any society, that is to say, any body of persons, corporate or unincorporate (not being a branch of another such body), registered or established under any Act of Parliament, or by Royal Charter, or, if not so registered or established, having a constitution of such a character as may be prescribed, which complies with the requirements of this Act relating to approved societies, may be approved by the Insurance Commissioners, and, if so approved, shall be an approved society for the purposes of this Part of this Act:

Provided that, where any society establishes for the purposes of this Part of this Act a separate section consisting of insured persons, whether with or without honorary members not being insured persons, and so constituted as to comply with the requirements of this Act relating to approved societies, such separate section may be approved by the Insurance Commissioners, and, if so approved, shall be an approved society, and the provisions of this Part of this Act relating to the conditions of approval of societies and to approved societies shall apply only to such separate section of the society.

(2) No society shall receive the approval of the Insurance Commissioners unless it satisfies the following conditions:—

(i) It must not be a society carried on for profit;

(ii) Its constitution must provide to the satisfaction of the Insurance Commissioners for its affairs being subject to the absolute control of its members being insured persons or, if the rules of the society so provide, of its members whether insured persons or not, including provision for the election and removal of the committee of management or other governing body of the society, in the case of a society whose affairs are managed by delegates elected by members, by such delegates, and, in other cases, in such manner as will secure absolute control by its members;

(iii) If the society has honorary members, its constitution must provide for excluding such honorary members from the right of voting in their capacity of members of the society on all questions and matters arising under this Part of this Act.

(3) Applications for approval under this section may be made and approval granted at any time before or after the commencement of this Act, and the Insurance Commissioners may grant approval either unconditionally or subject to the condition of the society taking within such time as the Commissioners may allow such steps as may be necessary to make

the society comply with the requirements of this Part of this Act relating to approved societies.

Power of societies to undertake business under Part I.

24.—(1) It shall be lawful for any body of persons, corporate or unincorporate, established before the passing of this Act which is desirous of transacting insurance business under this Part of this Act, or of making any amendments in its constitution, or administration, or contributions, or benefits, or otherwise which may be necessary or expedient in consequence of the passing of this Act, notwithstanding anything in the provisions of the Acts under which it is established or registered or carried on, or of its memorandum or articles of association, rules, or other instrument governing its constitution or defining its objects, to do all such acts and things (including the establishment of a separate section as aforesaid) as may be necessary for the purpose of enabling the body to undertake the transaction of such business as soon as may be after the passing of this Act and, if the instrument regulating the constitution of the body contains provisions requiring any interval to elapse before action can be taken, such provisions shall not apply to action taken for the purposes aforesaid.

59 & 60 Vict. c. 25.

(2) Subsections (3) and (4) of section seventy of the Friendly Societies Act, 1896, shall not apply to any resolutions for amalgamation or transfer of engagements when the resolution is made expressly for the purposes of this Part of this Act.

(3) This section shall come into operation on the passing of this Act, and shall not continue in force beyond the expiration of one year from the commencement of this Act, except so far as may be necessary to enable a society which has undertaken the transaction of insurance business under this Part of this Act to continue to transact such business.

Special provisions for employers' provident funds, &c.

25.—(1) Where a society consists of persons entitled to rights in a superannuation or other provident fund established for the benefit of persons employed by one or more employers, the society may be approved, notwithstanding that the employer is entitled to representation on the committee or other body administering the fund to an extent not exceeding one quarter of the total number of the body, if the employer, in addition to the employer's contributions payable by him under this Part of this Act, is responsible for the solvency of the fund or for the benefits payable thereout, or is liable to pay a substantial part of, or to make substantial contributions to, or substantially to supplement, the benefits payable out of the fund:

Provided that no such society as aforesaid shall be approved unless by its constitution it is prohibited so far as concerns the benefits under this Part of this Act from refusing to allow a member to transfer to another approved society, and from refusing to allow a member who is discharged from or leaves the employment of the employer and is unable to obtain admission to another approved society on account of the state of his health to continue a member, and unless its constitution provides for the election of the members of the committee of management (other than the employer's representatives) by ballot:

Provided also that no such society shall be approved if the employer makes membership of such society a condition of employment.

(2) Where, for the purpose of enabling any such society to become an approved society, it is necessary to make any alteration in the existing rules or constitution of the society which it is not competent for the society under its existing constitution to make, a scheme for the purpose may be submitted for the approval of the Insurance Commissioners.

(3) Where such a scheme has been approved by the Insurance Commissioners, the Act or deed constituting the society shall have effect subject to the provisions of the scheme, but the Insurance Commissioners shall not approve any such scheme unless they are satisfied that the members of the society have been given an opportunity of voting by ballot thereon, and that the scheme makes proper provision for safeguarding existing rights and interests.

Security to be given by approved societies.

26.—(1) Every approved society and every society desirous of becoming an approved society shall give such security as the Insurance Commissioners may consider sufficient to provide against any malversation or misappropriation by officers of the society of any funds coming to the hands of the society under this Part of this Act, and in determining the amount of the security to be required the Commissioners shall have regard to the amount of the funds so coming into the hands of the society:

Provided that no security shall be required from any society which proves to the Insurance Commissioners that the only funds coming into the hands of the society under this Part of this Act are such funds as are required for reimbursing to the society sums previously expended by the society under this Part of this Act.

(2) In the case of an approved society with branches having insured persons among their members, security shall be given in respect of each such branch by the society.

(3) The Insurance Commissioners may from time to time vary the amount of security to be given or maintained by an approved society as may be thought proper, and, where security is given by way of deposit of securities, the society which made the deposit may, with the consent of the Insurance Commissioners, substitute other securities for the securities for the time being deposited.

(4) Any dividends or interest arising from securities deposited by an approved society under this section shall be paid to the society.

Provisions as to approved societies.

27.—(1) Every approved society shall, as respects the administration of the affairs of the society under this Part of this Act, make proper provision by rules to the satisfaction of the Insurance Commissioners for the government of the society, and if a society with branches—

(*a*) for the government of the society and its branches;

(*b*) for the determination of disputes arising between the society and any branch thereof, or between one such branch and another;

(*c*) for the administration of benefits by the branches as respects insured persons who are members of such branches;

(*d*) for the keeping of proper books of account by the branches in any case where separate accounts are usually kept by those branches;

(*e*) for depriving of or suspending from the right of administering benefits under this Part of this Act any branch which is guilty of maladministration of those benefits, or is convicted of any offence under any Act, and for providing in such a case for their administration by the society or otherwise.

(2) Every approved society and every branch thereof shall comply with any regulations made by the Insurance Commissioners as to the place in which meetings are to be held, and those regulations may provide for the use for such meetings, with or without payment, of any offices or other buildings under the control of a Government department (including offices or buildings occupied by or in connexion with a labour exchange) or belonging to or under the management of a local authority, but subject to the consent of the Government department or the local authority concerned.

(3) Where under any Act regulating the constitution of an approved society the rules of the society are required to be registered, any rules approved under this section by the Insurance Commissioners shall forthwith be registered, but until so registered shall have effect as if they had been duly registered.

Secessions, &c.

28.—(1) No branch of an approved society having insured persons among its members shall be entitled to secede or withdraw from the society without the consent of the Insurance Commissioners; but such consent shall not be given unless the seceding or withdrawing branch complies with the conditions of approval requisite in the case of approved societies, and, on any such consent being given, the branch shall be subject in all respects to the provisions and requirements of this Part of this Act relating to approved societies:

Provided that such consent shall not be required if the branch makes provision to the satisfaction of the Insurance Commissioners for the transfer to other approved societies or to other branches of the society from which it is seceding or withdrawing of such of its members as are insured persons.

(2) An approved society or a branch thereof shall not be dissolved without the sanction of the Insurance Commissioners,

and any such dissolution, so far as it affects members who are insured persons, shall be carried out in the prescribed manner.

(3) No branch of an approved society shall be expelled from the society, unless proper provision is made to the satisfaction of the Insurance Commissioners with respect to any members of the branch who are insured persons.

(4) This section shall have effect notwithstanding anything contained in any Act regulating the constitution of the society.

Withdrawal of approval.

29. Where an approved society or a branch of any approved society fails to comply with any of the provisions or requirements of this Part of this Act relating to approved societies, or where such a society or branch or the body of which the society forms a separate section is convicted of any offence under any Act regulating its constitution or under any other Act, the Insurance Commissioners may withdraw their approval, and thereupon the society shall cease to be an approved society and the Insurance Commissioners shall make such provision as they may consider necessary with respect to members of the society who are insured persons.

Membership of Approved Societies and Transfer of Members.

Admission of insured persons to membership in approved societies.

30.—(1) Subject to the provisions of this Act, any insured person and any person entitled to become an insured person may apply to an approved society for membership therein.

(2) An approved society shall be entitled, in accordance with its rules, to admit or reject any such applicant, or to expel any of its members being insured persons: Provided that no such application shall be refused solely on the ground of the age of the applicant.

(3) This section shall come into operation on the passing of this Act.

Transfer from one approved society to another.

31.—(1) If an insured person, being a member of an approved society, ceases to be a member of that society, whether voluntarily or by expulsion, and becomes a member of another approved society, there shall be transferred to such other society in respect of such person a sum representing the liability under this Part of this Act of the first-mentioned society in respect of him (in this Act called "transfer value") calculated in accordance with tables to be prepared by the Insurance Commissioners:

Provided that such transfer value shall not be so transferred in any case where the first-mentioned society proves that the insured person voluntarily ceased to be a member of that society without the consent of the society, and that that consent was not unreasonably withheld.

(2) This section shall apply to transfers from one branch of an approved society to another branch of the same or any society in like manner as it applies to transfers from one society to another society.

Transfers to foreign and colonial societies.

32.—(1) If an insured person ceases to be permanently resident in the United Kingdom and becomes a member of any society or institution established in a British possession or foreign country, of a kind similar to an approved society, which is approved by the Insurance Commissioners, or of any branch established outside the United Kingdom of an approved society, the transfer value of such person, or, in the case of a deposit contributor, the amount standing to his credit in the Post Office fund, shall be paid to such society or institution or branch; but no such payment shall be made, unless the Insurance Commissioners are satisfied that the society, institution, or branch in question gives corresponding rights to any of its members becoming resident in the United Kingdom.

(2) Where an arrangement has been made with the Government of any British possession or with the Government of any foreign State, whereby insured persons may be transferred to a society or institution established in the British possession or foreign State similar to an approved society or the Post Office fund, and members of any such society or institution may be transferred to approved societies or to the Post Office fund, it shall be lawful for the Insurance Commissioners to make such arrangements as may be necessary for any such transfer as aforesaid, and for the determination of the amount to be transferred in any such case, and of the rights to which any person transferred is to be entitled; so, however, that nothing in this section shall affect the rights of a society under this Part of this Act to refuse applications for membership.

Transfer values of emigrants who remain members of approved societies.

33. If a person who has for not less than five years been a member of an approved society for the purposes of this Part of this Act has ceased permanently to reside in the United Kingdom, and does not join such a society, branch, or institution as is in the last foregoing section mentioned, and the approved society is willing to permit him to remain a member of the society and to become entitled to benefits independently of this Act, the society may, subject to regulations by the Insurance Commissioners, transfer from the account of the society under this Part of this Act to the credit of the society independently of this Act such sum as would have been transferred to the Post Office fund had the member ceased to be a member of the society and become a deposit contributor, and so much of any reserve value which may have been credited to the society in respect of him as would in such a case have been cancelled shall be cancelled.

Prohibition against double insurance.

34. A person shall not be or attempt to become a member for the purposes of this Part of this Act of more than one approved society at the same time, or, being a deposit contributor, to become at the same time a member for the purposes of this Part of this Act of an approved society, but nothing in this Act shall prevent any person who is a member of an approved society under this Part of this Act becoming a member of the same or any other society independently of this Act, or prevent a deposit contributor becoming a member of any society independently of this Act, or affect the right of an approved society to reject or expel from membership any person not being an insured person, or the rights or liabilities of an approved society or of any member thereof arising otherwise than under this Part of this Act; and, subject to the provisions of this Part of this Act, all rules made by a society which becomes an approved society or any branch thereof shall remain and be of the same force and effect as though this Act had not been passed.

Accounts: Valuations: Surplus and Deficit.

Approved societies to keep proper accounts.

35.—(1) Every approved society and every branch of an approved society must—

(*a*) Keep its books and accounts under this Part of this Act separate from all other books and accounts of the society or branch, and in such form as may be prescribed by the Insurance Commissioners, and, when required, submit them to audit by auditors to be appointed by the Treasury;

(*b*) Submit to have its assets and liabilities under this Part of this Act valued in accordance with the provisions of this Part of this Act;

(*c*) In the event of a surplus or deficiency being shown upon any such valuation, comply with the provisions relating to surpluses and deficiencies herein-after contained;

(*d*) Render such returns as the Insurance Commissioners may require.

(2) Regulations made under this section shall provide for a separate account being kept showing the amount expended on administration, and for limiting the amount which may be carried to that account out of the contributions under this Part of this Act, and for requiring any deficiency in such account (if not otherwise defrayed) to be met forthwith by a special levy.

(3) The provisions of this Part of this Act relating to accounts audit valuation and returns shall, as respects the transactions of any approved society or branch thereof under this Part of this Act, be substituted for such of the provisions of any Act regulating the constitution of the society or branch as deal with the like matters.

(4) In the case of a society or branch transacting other business besides that of insurance business under this Part of this Act, all funds and credits of the society or branch under this Part of this Act shall be as absolutely the security of the members for the purposes of this Part of this Act as if they belonged to a society or branch carrying on no other business than such insurance business, and shall not be liable for any

contracts of the society or branch for which they would not have been liable had the business of the society or branch been only that of such insurance, and shall not be applied directly or indirectly for any purposes other than those of insurance business under this Part of this Act.

Where a separate section of a society has been established and such separate section is an approved society under this Part of this Act, the expression "society" in this subsection means the society of which the separate section has been established and not the separate section.

Valuations of approved societies.

36.—(1) A valuation of the assets and liabilities arising under this Part of this Act of every approved society and of every branch of an approved society shall be made by a valuer, to be appointed by or with the approval of the Treasury, at the expiration of every three years dating from the commencement of this Act, or at such other times as the Insurance Commissioners appoint; the times so appointed may be at shorter or longer intervals than three years and at regular or irregular intervals, and may apply to all approved societies or any particular society or societies.

(2) Every such valuation shall be made on such basis as may be prescribed.

Surplus.

37.—(1) If upon any such valuation a surplus (certified by the valuer to be disposable) is found, the following provisions shall apply:—

(*a*) If the society is not a society with branches, the society may submit to the Insurance Commissioners a scheme for distributing out of such surplus any one or more additional benefits among insured persons who are members thereof for the purposes of this Part of this Act, and, upon any such scheme being sanctioned by the Insurance Commissioners, the society may distribute such additional benefit or benefits in accordance with the provisions thereof:

(*b*) If the society is a society with branches, any surplus in the central fund of the society, including any surplus transferred from the branches to the society under the provisions of this section, shall, subject to the provisions of the next succeeding section of this Act, be applied in the first instance towards making good any deficiency shown by any of its branches; and the society may distribute the balance of the surplus, after making good deficiencies as aforesaid, amongst such of its branches as have a surplus in proportion to the amounts of such surpluses, and the sum so apportioned to a branch shall be treated as an addition to the disposable surplus of that branch:

(*c*) If, on the valuation of a branch of an approved society, a surplus is shown in respect of such branch, there shall be transferred to the central body or other central authority of the society of which it is a branch one-third of the surplus, and the branch may, with the approval of the society, submit to the Insurance Commissioners a scheme for distributing out of the remaining two-thirds of such surplus, together with any such addition as aforesaid, any one or more additional benefits, and, upon any such scheme being sanctioned by the Insurance Commissioners, the branch may distribute such additional benefit or benefits in accordance with the provisions thereof:

(*d*) If, at any time after a scheme submitted by a society or branch has been so sanctioned as aforesaid, there is found to be a deficiency in the funds of the society or branch, no additional benefits shall be distributed under the scheme until such deficiency is extinguished and a surplus shown.

(2) A scheme made under this section may prescribe the conditions to be complied with as respects any additional benefit conferred by the scheme, and every such scheme shall, so far as practicable, provide for the reduction, suspension, or deprivation of the additional benefits conferred by the scheme in the case of members who are in arrears, and may make a corresponding reduction in the amount to which such members are to be deemed to be in arrears for the purpose of reckoning the rate of sickness benefit.

(3) No surplus and no part of any surplus shall be applied for the purpose of paying any benefits payable on death or any benefits other than one or more of the additional benefits specified in Part II. of the Fourth Schedule to this Act.

38.—(1) If upon any such valuation a deficiency is found, the following provisions shall apply:— Deficit.

(*a*) If the deficiency is shown by a branch of an approved society, three-quarters, or, if the society thinks fit, the whole thereof, shall, in the first place, so far as possible, be made good out of any surplus available for that purpose in the hands of the central body or other central authority of the society:

Provided that the society may, if it is satisfied that the deficiency is due to any maladministration on the part of the branch in question, with the consent of the Insurance Commissioners, refuse to make good any part of the deficiency out of such surplus:

(*b*) Subject as aforesaid, every deficiency shall be made good in accordance with a scheme for that purpose to be prepared by the society, or, in the case of a deficiency in a branch, by the branch subject to the approval of the society, and submitted to the Insurance Commissioners for their sanction; such a scheme shall provide for making good the deficiency, within a period of three years from the date at which the valuation was made, in any one or more of the following ways:—

(i) By a compulsory levy, by way of increase of the weekly rate of contributions, upon members of the society or branch being insured persons;

(ii) By reducing the rate of sickness benefit either for the whole period during which sickness benefit is payable or for any part thereof;

(iii) By deferring the day as from which sickness benefit becomes payable;

(iv) By reducing the period during which sickness benefit is payable;

(v) By increasing the period which is required by this Part of this Act to elapse between two periods of disease or disablement to prevent the one being treated as a continuation of the other;

(vi) By any other method approved by the Insurance Commissioners,

and, on the sanction of the Insurance Commissioners being given to the scheme, the society or branch shall proceed to make good the deficiency in accordance therewith:

(c) Payment of the amount of any compulsory levy made in accordance with a scheme sanctioned under this section may be enforced in such manner as may be provided by the rules of the society or branch; and, where those rules so provide, it shall be lawful for the society or branch in the case of any member to enforce payment of the amount of the levy by giving notice in the prescribed manner to the employer of such member requiring him to pay the amount of the levy, and, upon such notice being given, such amount shall be payable as if it were part of the contribution to be paid by the employer on behalf of the member, and all the provisions of this Part of this Act relating to the payment of such contributions and the recovery thereof from members shall apply accordingly:

(d) If a member chargeable with a levy falls into arrears, his arrears shall reckon as though the total sum thereof, inclusive of the levy, consisted of the contributions payable by or in respect of him had no levy been made:

(e) If within six months after the declaration of a deficiency, or, where an enquiry as to excessive sickness is pending under this Part of this Act, such longer period as the Insurance Commissioners determine, such scheme as aforesaid has not been submitted to and sanctioned by the Insurance Commissioners, or if at any time thereafter it appears to the Insurance Commissioners that the society or branch to which the scheme relates is not enforcing the provisions of the scheme, the Insurance Commissioners may take over the administration of the affairs of the society or branch under this Part of this Act, and shall, as soon as possible thereafter, take such steps as they may think necessary to make good the deficiency by any or all of the methods mentioned in paragraph (*b*) of this section, and for that purpose they shall be entitled to exercise all or any of the powers given to the society or branch by this Part of this Act:

(*f*) The Insurance Commissioners after taking over the administration of the affairs of any society or branch shall within a reasonable time, not exceeding three years, make arrangements for the restoration to the society or branch of its powers of self-government or, failing that, for the transfer of the members of the society or branch, being insured persons, to other approved societies or branches or to the Post Office fund:

(*g*) Any question or dispute arising between the Insurance Commissioners and the society or branch in respect of the amount of the deficiency, or as to the adequacy of any scheme proposed for making it good, shall be submitted to an independent valuer to be appointed by the Lord Chief Justice, and such valuer shall, subject to the provisions of this Act and of the regulations thereunder, act, so far as practicable, on his own knowledge and experience, and shall have power to determine how and by what parties the costs of proceedings, including his own remuneration, not exceeding such amount as the Treasury may prescribe, are to be defrayed, and his decision shall be final and conclusive:

(*h*) A scheme made under this section shall not affect any person who becomes a member of the society or branch after the date as at which the valuation was made, or any member over seventy years of age:

(*i*) Any insured person who, having been a member of the society or branch at the date as at which the valuation disclosing the deficiency was made, is transferred to another society or to another branch of the same or any other society before the deficiency is made good, shall be liable to any levy or reduction of benefits which has been or may be made in respect of such deficiency in like manner in all respects as if he had not ceased to be a member, and if the transfer took place before the scheme imposing the levy or reduction of benefits was sanctioned, such adjustment in the amount of any transfer value paid in respect of him shall be made as the circumstances require.

(2) Any member liable to a levy payable at intervals may relieve himself of the liability thereto, and a member subject to a diminution of benefits by virtue of any such scheme may, with the consent of the society or branch, acquire a right to undiminished benefits, on payment to the Insurance Commissioners of the capitalised value of the levy or diminution of benefits, as the case may be, ascertained in the prescribed manner.

Pooling arrangements in the case of small societies.

39.—(1) Subject to the provisions of this section, all approved societies which at the date of any valuation have less than five thousand insured persons as members for the purposes of this Part of this Act shall, for the purposes of the valuation—

(*a*) if they have joined an association formed under this section, be associated with the other societies in the same association; and

(*b*) if they have not joined any such association, be grouped together according to the localities in which they carry on business.

(2) Any such societies may, with the consent of the Insurance Commissioners, form for the purposes of this section an association with a central financial committee, provided that the aggregate number of insured persons who are members of the associated societies is not less than five thousand, and the conditions on which a society shall be entitled or allowed to join, or having joined to secede from, an association, shall be such as may be prescribed.

(3) Any such society which has not joined any such association as aforesaid, and which carries on business in any county or county borough, shall, for the purposes of this section, be grouped with the other unassociated societies carrying on business in the same county or county borough.

(4) The provisions of this Part of this Act as to the application of surpluses of branches of societies with branches shall apply to such associated and grouped societies as if all the societies in any association or group were branches of a single society, subject to the following modifications:—

(*a*) A reference to the central financial committee in the case of an association, and to the Insurance Committee for the county or county borough in the case of a group, shall be substituted for the reference to the central authority of the society;

(*b*) The approval of the central financial committee or Insurance Committee shall not be required to any scheme prepared by an associated or grouped society for the distribution of any surplus.

(5) Where an associated or grouped society is a society with branches, the provisions of this Part of this Act relating to surpluses and deficiencies of societies with branches (except those requiring the approval of a society to a scheme prepared

by a branch as to the distribution of a surplus or the making good of a deficiency) shall not apply to the society, but each branch shall, for the purposes of this section, be deemed to be a separate society.

(6) For the purposes of this section, a society shall be deemed to carry on business only in the county or county borough in which its registered office or other principal place of business is situate:

Provided that, where of the insured persons who are members of a grouped society at the date of any valuation more than one hundred or more than one-sixth reside in some county or county borough other than that in which the registered office or other principal place of business is situate, the proper proportion of any surplus or deficiency of the society shall, if application for the purpose is made by any of the Insurance Committees concerned, be apportioned to the Insurance Committee of that other county or county borough, such proportion to be determined, in default of agreement between the Insurance Committees concerned, by the Insurance Commissioners.

(7) The Insurance Commissioners may exempt from this section any society consisting of persons entitled to rights in a superannuation or other provident fund established for the benefit of persons employed by one or more employers, if the employer, in addition to the contributions payable by him under this Part of this Act, is responsible for the solvency of the fund, or for the benefits payable thereout, or is liable to pay a substantial part of, or to make substantial contributions to, or substantially to supplement the benefits payable out of the fund, and this section shall not apply to any society to which such an exemption has been granted.

(8) Except so far as relates to the power of refusing to make good any part of a deficiency due to maladministration on the part of any society, nothing in this section shall be construed as conferring on any central financial committee or Insurance Committee any powers of control over the administration of associated or grouped societies.

Special provisions with regard to societies with branches.

40.—(1) Where a society with branches is so organised that the branches in different geographical areas are grouped together for the purposes of this section, the branches in any such area may, if and to such extent as the rules of the society so provide, and if the number of members of the branches being insured persons in the area exceeds five thousand, be treated for the purposes of the provisions of this Part of this Act relating to valuations, surpluses, and deficiencies as if they formed a separate society.

(2) The rules of any society with branches may provide for the branches reinsuring with the society their liabilities in respect of any of the benefits under this Part of this Act, or, if the society is so organised as aforesaid, for such reinsurance either with the society or with the group.

(3) Where a society with branches has among its members insured persons who are not members of any branch, and the benefits of such members are administered by the society itself, such members shall be treated for the purposes of this Part of this Act relating to valuations, surpluses, and deficiencies as if they formed a separate branch.

Power to separate men's and women's funds.

41. Where an approved society, not being a society with branches, has amongst its members both men and women, and the rules of the society so provide, the provisions of this Part of this Act with respect to valuations, surpluses, and deficiencies shall apply to the society as if it were a society consisting of two branches, the one comprising the male members and the other comprising the female members.

Deposit Insurance.

Provisions as to deposit contributors.

42. Until the first day of January nineteen hundred and fifteen, the following provisions shall apply in the case of insured persons (in this Act referred to as deposit contributors) who have not joined an approved society within the prescribed time, or who, having been members of an approved society, have been expelled or have resigned therefrom and have not, within the prescribed time, joined another approved society:—

(*a*) Contributions by or in respect of a deposit contributor shall be credited to a special fund to be called the Post Office fund:

(*b*) The sums required for the payment of any sickness, disablement, or maternity benefit payable to a deposit contributor, except so far as they are payable out of moneys provided by Parliament, shall be paid out of the money standing to his credit in the Post Office fund, and his right to benefits under this Part of this Act shall be suspended on the sums standing to his credit in that fund being exhausted, except that his right to medical benefit and sanatorium benefit shall continue until the expiration of the then current year, and that the Insurance Committee, if it has funds available for the purpose and thinks fit so to do, may allow him to continue to receive medical benefit or sanatorium benefit or both such benefits after the expiration of such year:

(*c*) Such sum as may be prescribed shall in each year be payable in respect of each deposit contributor towards the expenses incurred by the Insurance Committee in the administration of benefits:

(*d*) Such sum as the Insurance Committee may, with the consent of the Insurance Commissioners, determine shall in each year be payable in respect of each deposit contributor for the purposes of the cost of medical benefit:

(*e*) The sums payable in respect of a deposit contributor for the purposes of medical benefit and sanatorium benefit, and towards the expenses of administration, shall, except so far as they are payable out of moneys provided by Parliament, be deducted at the commencement of each year from the amount standing to his credit in the Post Office fund, and, if at the commencement of any year the amount so standing to his credit is insufficient to provide such sums, he shall not, unless the Insurance Committee consents, and except subject to such conditions as that committee may impose, be entitled to any benefits during that year:

(*f*) Upon the death of a deposit contributor, four-sevenths (or in the case of a woman one-half) of the amount standing to his credit in the Post Office fund shall be paid to his nominee or, in default of a nomination, to the person entitled to receive the sum as if it were money payable on the death of a member of a registered friendly society, and the balance thereof shall be forfeited, and sections fifty-six to sixty-one of the Friendly Societies Act, 1896, as amended by any subsequent enactment, shall, subject to the prescribed adaptations, apply accordingly:

(*g*) Where a deposit contributor proves to the satisfaction of the Insurance Committee that he has permanently ceased to reside in the United Kingdom, four-sevenths (or in the case of a woman one-half) of the amount standing to his credit in the Post Office fund may be paid to him.

Transfer from approved society to deposit insurance and vice versâ.

43.—(1) If an insured person, being a member of an approved society, ceases to be a member of that society, whether voluntarily or by expulsion, and fails to become within the prescribed time a member of another approved society, then—

(*a*) if he becomes a deposit contributor, his transfer value shall be carried to his credit in the Post Office fund: Provided that, if a reserve value has been credited to the society in respect of him, such part of that reserve value as is still outstanding (or if the amount so outstanding exceeds the transfer value such part of the reserve value as is equal to the transfer value) shall be cancelled, and the amount, if any, by which the transfer value exceeds the amount so cancelled shall be carried to the credit of the deposit contributor;

(*b*) if he does not become a deposit contributor, his transfer value shall be carried to such account and dealt with in such manner as may be prescribed.

(2) If an insured person who is a deposit contributor subsequently becomes a member of an approved society for the purposes of this Part of this Act, there shall be transferred to the society the amount standing to his credit in the Post Office fund:

Provided that—

(*a*) if that amount exceeds the value of the contributions paid by or in respect of him estimated on the assumption that he had been a member of an approved society since his entry into insurance, the excess shall not be transferred to the society but shall be carried to the credit of the Post Office fund;

(*b*) if that amount is less than such value, the insured person shall be treated as being in arrear to the amount of the deficiency.

Provisions as to Special Classes of Insured Persons.

Special provisions with respect to married women.

44.—(1) Where a woman who has before marriage been an insured person marries, she shall be suspended from receiving the ordinary benefits under this Part of this Act until the death of her husband, and, if she is a member of an approved society, one-third of her transfer value shall be carried to a separate account called the married women's suspense account, but, if at any time after the death of her husband she becomes an employed contributor, the period between her marriage and the expiration of one month from the death of her husband shall be disregarded for the purpose of reckoning arrears, and there shall be transferred from the married women's suspense account to the society of which she is a member the proper reserve value calculated according to tables to be prepared by the Insurance Commissioners:

Provided that, where a woman who has been employed within the meaning of this Part of this Act before marriage, proves that she continues to be so employed after marriage, she shall not be so suspended so long as she continues to be so employed, and that, where a married woman so suspended from the ordinary benefits becomes employed within the meaning of this Part of this Act before the death of her husband, contributions shall thereupon again become payable in respect of her, and she shall cease to be suspended from receiving the ordinary benefits, but, subject to regulations made by the Insurance Commissioners, she shall, for the purposes of those benefits, be treated as if she had not previously been an insured person.

(2) Where a married woman being a member of an approved society is so suspended from the ordinary benefits as aforesaid, she may, if she so elects within one month after such suspension, or, subject to the consent of the society, after the expiration of that month, and notwithstanding that she is not engaged in any

regular occupation, become whilst so suspended a voluntary contributor, subject to the following modifications, but not otherwise:—

(*a*) The rate of contributions payable by her shall be threepence a week;

(*b*) The benefits to which she shall be entitled shall be—

(i) medical benefit; and

(ii) sickness benefit and disablement benefit at the rates and subject to the conditions specified in Table D. of Part I. of the Fourth Schedule to this Act;

(*c*) No part of her contributions shall be retained by the Insurance Commissioners for the purpose of discharging their liabilities to approved societies in respect of the reserve values created under this Act:

Provided that, where a married woman elects not to become such a voluntary contributor, she shall be entitled to have a sum equal to the remaining two-thirds of her transfer value applied in accordance with regulations of the Insurance Commissioners towards the payment of any of the benefits specified in Part III. of the Fourth Schedule to this Act until the same is exhausted, except that, where a reserve value was credited to the society in respect of such woman at the date of her entrance into insurance, so much of such sum as aforesaid as may be prescribed shall not be so applied but shall be written off the amount of the reserve values credited to the society.

(3) Where the husband of a married woman who has been so suspended from ordinary benefits as aforesaid and who is a member of an approved society dies, she may, if she is qualified to become a voluntary contributor, and elects to do so within one month after the death of her husband, become an ordinary voluntary contributor paying contributions at the rate which would have been applicable to the case had she become such a contributor at the date of her entry into insurance:

Provided that she may, whether or not so qualified, if she so elects within one month after the death of her husband, continue to be or become a voluntary contributor on the same terms and subject to the same conditions as above provided as respects married women.

In either such case there shall be transferred from the married women's suspense account to the society the proper reserve value calculated as aforesaid.

(4) Where a married woman who was at the date of her marriage a deposit contributor is by virtue of this section suspended from the ordinary benefits under this Part of this Act, two-thirds of the sum standing to her credit in the Post Office fund shall be applied in accordance with the regulations of the Insurance Commissioners towards the payment of any of the benefits specified in Part III. of the Fourth Schedule to this Act until the same is exhausted.

(5) Where a woman who was a married woman at the commencement of this Act at any time subsequently either before or within one year after the death of her husband becomes an employed contributor and a member of an approved society, she shall be entitled to full benefits, notwithstanding that at the time of so becoming she is of the age of seventeen or upwards.

(6) Where any arrears of contributions have accrued due in respect of a married woman during coverture such arrears shall, on the death of her husband, be disregarded and she shall be thenceforth entitled to benefits as if such arrears had never accrued due.

(7) Except as provided by this section, a married woman shall not be entitled to become a voluntary contributor, and, if a woman is before marriage a voluntary contributor, she shall on marriage not be entitled to continue to be such a contributor.

(8) If a woman, whilst a voluntary contributor at such reduced rates of benefit as are provided by this section, becomes employed within the meaning of this Part of this Act, she shall be entitled to a certificate (to be granted in manner herein-before provided) exempting her from liability to become an employed contributor so, however, that such exemption shall not exempt the employer from his liability to pay contributions in respect of her, or deprive him of his right to recover such part of those contributions as is payable on her behalf, but of each weekly contribution so paid by the employer threepence shall be treated as her contribution as a voluntary contributor and the balance shall be applied for her benefit in such manner as the society may determine.

(9) If at any time the married women's suspense account is insufficient to meet the liabilities imposed on it by this section, the deficiency shall be made good out of the sums retained by the Insurance Commissioners for discharging their liabilities in respect of the reserve values created by this Act.

(10) Transfer value for the purposes of this section shall be calculated in such manner as the Insurance Commissioners may prescribe.

(11) Where a woman is a member of an approved society at the time when she is entitled to exercise an option under this section, it shall be the duty of the society to give her full information as to the nature of her rights.

(12) Where a deficiency has been found in respect of the society or branch of which a woman is a member at a valuation previous to the time when she became suspended from ordinary benefits under this Part of this Act, and that deficiency has not been made good at the time of her marriage, or where a woman is in arrears at that time, such adjustments in the sums transferred to the married women's suspense account, and in the balance of her transfer value, and in the rates of benefit to which she is entitled under this section, shall be made as the Insurance Commissioners may prescribe.

(13) Save as aforesaid, the provisions of this Part of this Act shall apply to a woman who has been married, both during and after coverture, in like manner as if she had never been married.

(14) This section shall apply in the case of a woman whose marriage has been dissolved or annulled, or who has, for a period of not less than two years, been actually separated from or deserted by her husband, as if her husband had died at the date at which such dissolution or annulment took effect, or, as the case may require, at the expiration of such period of two years.

Special provisions as to aliens.

45.—(1) This Part of this Act shall apply to persons of the age of seventeen or upwards at the date of entry into insurance who are not British subjects, subject to the following modifications:—

(*a*) No such person shall be qualified to become a member of an approved society for the purposes of this Part of this Act, except upon the terms and subject to the conditions herein-after mentioned;

(*b*) No part of the benefits to which such persons may become entitled shall be paid out of moneys provided by Parliament;

(*c*) The rate of sickness, disablement, and maternity benefit shall, as respects a deposit contributor, be reduced, in the case of men, to seven-ninths, or in the case of women to three-quarters, of the rate to which they would otherwise be entitled under this Part of this Act;

(*d*) No part of the sums payable in respect of such persons for medical benefit and sanatorium benefit or towards the expenses of administration of benefits shall, in the case of such persons, be paid out of moneys provided by Parliament.

(2) Where such a person becomes a member of an approved society the following provisions shall have effect:—

(i) The contributions payable by or in respect of such person shall be credited to the society;

(ii) The society shall in each year pay to the Insurance Committee the whole of the sums payable in respect of such person for medical benefit and sanatorium benefit;

(iii) The rate and conditions of sickness benefit, and disablement benefit, and maternity benefit shall be such as may be determined by the society;

(iv) Such person shall not be deemed to have joined an approved society for the purposes of the provisions of this Part of this Act relating to reserve values, and no part of the contributions of such person shall be retained by the Insurance Commissioners towards the discharge of their liabilities in respect of reserve values.

(3) A woman who, having been a British subject before marriage, has ceased to be a British subject by reason of marriage with a person not being a British subject, shall not be subject to the provisions of this section if her husband is dead, or the marriage has been dissolved or annulled, or she has for a period of not less than two years been actually separated from or deserted by her husband.

(4) This section shall not apply to any person who, on the fourth day of May nineteen hundred and eleven, was a member of a society which, or a separate section of which, becomes an approved society, and had then been resident in the United Kingdom for five years or upwards, or to any person who is transferred to an approved society or the Post Office fund in pursuance of an arrangement with the Government of any foreign State.

Special provisions with regard to persons in the naval and military service of the Crown.

28 & 29 Vict. c. 73.

46.—(1) For the purpose of providing seamen, marines, and soldiers with such benefits during their term of service and after their return to civil life as are herein-after in this section mentioned, there shall be deducted from the pay of every seaman and marine within the meaning of the Naval and Marine Pay and Pensions Act, 1865, and of every soldier of the regular forces (other than soldiers of His Majesty's Indian Forces, the Royal Malta Artillery, and native soldiers of any regiment raised outside the United Kingdom), the sum of one penny halfpenny a week, and there shall be contributed by the Admiralty and the Army Council respectively, out of moneys provided by Parliament for navy and army services, in respect of every such seaman, marine, and soldier who has joined an approved society in the manner hereafter mentioned, the sum of one penny halfpenny per week, and, in respect of every other such seaman, marine, and soldier, such sum per week as may be prescribed:

Provided that no such deduction shall be made from the pay of a seaman, marine, or soldier who has completed the period of his first engagement and has re-engaged for pension unless he so elects within the prescribed time, and that no contribution shall be made by the Admiralty or Army Council in respect of any week in respect of which such a deduction is not made.

(2) A seaman, marine, or soldier—

(*a*) who was at the date of his entry or enlistment an insured person and had joined and was at that date a member of an approved society; or

(*b*) who within six months from the date of his entry or enlistment, or, in the case of a seaman, marine, or soldier serving at the commencement of this Act, within six months after the commencement of this Act, or within such longer period as may be prescribed, joins an approved society for the purposes of this Part of this Act;

shall, for the purposes of this Part of this Act, be treated as if he were an employed contributor, subject, until his discharge, to the following modifications:—

(i) The employed rate shall be three pence, and the deductions made from his pay and the contributions made in respect of him by the Admiralty or Army Council shall be treated as the contributions paid in respect of him;

(ii) He shall not be entitled to medical benefit, sanatorium benefit, sickness benefit, or disablement benefit;

(iii) Maternity benefit shall be payable, notwithstanding that both he and his wife are resident outside the United Kingdom at the date of the confinement, and the society may arrange with the Admiralty or Army Council for the administration of the benefit through the Admiralty or Army Council;

(iv) The sum to be retained out of each weekly contribution by the Insurance Commissioners towards the discharge of their liabilities in respect of reserve values shall be one penny, and the remaining five-ninths of a penny shall be paid out of the Navy and Army Insurance Fund herein-after constituted.

(3) With respect to seamen, marines, and soldiers who have not joined an approved society as aforesaid, the following provisions shall have effect:—

(*a*) The sums so deducted and the contributions so made as aforesaid in respect of such men shall be paid into the National Health Insurance Fund, and out of such sums there shall be retained by the Insurance Commissioners towards discharging their liabilities in respect of the reserve values created under this Part of this Act the like amount as if such men were members of approved societies, and the balance shall be credited to a special fund to be called the Navy and Army Insurance Fund:

(*b*) There shall also be paid into the Navy and Army Insurance Fund in each year out of moneys provided by Parliament a sum equal to two-ninths of the amount, calculated in the prescribed manner, which would have been payable in that year in respect of medical, sanatorium, sickness, and disablement benefits (including expenses of administration) had all seamen, marines, and soldiers from whose pay deductions are made under this section been members of approved societies and entitled to such benefits as employed contributors:

(*c*) The weekly contributions to be made by the Admiralty and Army Council in respect of such men shall be such as may from time to time be required to keep the Navy and Army Insurance Fund solvent:

(*d*) If any such man was at the date of his entry or enlistment a deposit contributor, he shall, for the purpose of dealings with the sum standing to his credit in the Post Office fund, be treated as if the Navy and Army Insurance Fund had been an approved society, and he had at the date of his entry or enlistment become a member of that society :

(*e*) In the case of a seaman, marine, or soldier serving at the commencement of this Act, there shall be credited to the Navy and Army Insurance Fund such reserve value as would have been credited to an approved society had he at that date become a member of the society as an employed contributor : Provided that no such reserve value shall be credited to that fund if at the date aforesaid he had completed the period of his first engagement and had re-engaged for pension, unless he elects to have deductions made from his pay, or unless, not having so elected, he becomes on discharge entitled to benefits payable out of that fund as herein-after mentioned :

(*f*) Every such man shall, until discharged, be entitled to maternity benefit payable out of the Navy and Army Insurance Fund, and shall be entitled to such benefit, notwithstanding that both he and his wife are at the date of the confinement resident outside the United Kingdom, and the benefit shall be administered by the Admiralty and Army Council either directly or through Insurance Committees :

(*g*) On the discharge of a seaman, marine, or soldier, from whose pay deductions have been made and continue to be made up to the date of his discharge, there shall be debited to the Navy and Army Insurance Fund, and, if he becomes a member of an approved society within the prescribed time from his discharge, there shall be credited to that society, or, if he does not become a member of such a society within the prescribed time from his discharge, there shall, unless he becomes entitled to benefits out of the Navy and Army Insurance Fund as herein-after mentioned, be carried to his credit in the Post Office fund the transfer value which would have been payable in respect of him had he been a member of an approved society throughout his period of service, or, in the case of a man serving at the date of the commencement of this Act, since that date, and, if he becomes a deposit contributor, so much of the reserve value, if any, credited to the Navy and Army Insurance Fund in respect of him shall be cancelled as would have been cancelled had he been transferred from an approved society to the Post Office fund :

(*h*) A man discharged from service as a seaman, marine, or soldier who proves that the state of his health is such that he cannot obtain admission to an approved society may, if he so elects, on making application to the Insurance Commissioners in the prescribed manner within three months of his discharge, or such longer time as may be prescribed, become, subject to regulations made by the Insurance Commissioners after consultation with the Admiralty and Army Council, entitled to benefits (other than additional benefits) provided under this Part of this Act at the full rate, the cost of which benefits shall be payable out of the Navy and Army Insurance Fund, and such benefits shall be administered by Insurance Committees or otherwise in such manner as may be prescribed by such regulations as aforesaid, and any contributions paid under this Part of this Act by or in respect of him shall be paid into that fund:

Provided that—

(i) no deductions from benefits shall be made on account of any pension to which a man may be entitled;

(ii) the rate of sickness benefit shall be reduced, in the case of a man who entered into insurance when of the age of seventeen or upwards or who is in arrears, to the like extent as it would be reduced had he been an employed contributor and a member of an approved society who entered into insurance at the like age or who is in arrears to the like extent, so however that the rate of sickness benefit shall in no case be reduced below five shillings a week;

(iii) there shall in each year be repaid to the Navy and Army Insurance Fund, out of moneys provided by Parliament, a sum equal to two-ninths of the amount expended out of the fund on such benefits as aforesaid, including the expenses of administration;

(iv) if a man who is so entitled to benefits payable out of the Navy and Army Insurance Fund at any time becomes a member of an approved society for the purposes of this Part of this Act, he shall cease to be entitled to benefits payable out of that fund, and there shall be debited to that fund and credited to such society the transfer value which would have been so debited and credited if he had been at that time transferred from one approved society to another approved society.

(4) In the application of this Part of this Act to a man who is or has been a seaman, marine, or soldier, and to whom this section applies—

(i) the date of his entry or enlistment as a seaman, marine, or soldier, or, if he was serving at the commencement of this Act, the date of that commencement, shall, unless he was an insured person at the date of his entry or enlistment, be treated as the date of his entry into insurance;

(ii) deductions from pay, with the corresponding contributions made by the Admiralty and Army Council, shall be treated as payments of contributions at the employed rate for the purpose of reckoning the number of contributions made in respect of him, arrears, and transfer value, and for the purpose of qualifications for becoming a voluntary contributor;

(iii) a seaman, marine, or soldier during his term of service shall, if he has joined an approved society as aforesaid before his entry or enlistment, be deemed to reside in that part of the United Kingdom in which he resided immediately before his entry or enlistment, or, if after his entry or enlistment, in the part of the United Kingdom in which the registered office or other principal place of business of the society or branch which he has joined is situate, and in any other case in England, and all persons entitled to benefits payable out of the Navy and Army Insurance Fund shall be deemed to reside in England.

(5) Discharge shall, in the case of a seaman, marine, or soldier who on the completion of any term of service is transferred to a reserve, include such transfer.

(6) This section shall not apply to a seaman, marine, or soldier who entered or enlisted before the age of sixteen until he attains that age, and on attaining that age shall apply to him as if he had entered or enlisted at the time when he attained that age.

(7) The foregoing provisions of this section shall, subject to such adaptations and modifications as may be prescribed, apply to men belonging to the Naval Reserves when employed on service during war or any emergency, and to men of the Army Reserve when called out on permanent service, and to men of the Territorial Force when called out on embodiment, but, except as aforesaid, shall not apply to any such men.

(8) Where a man of the Naval Reserves, the Army Reserve, or the Territorial Force is being trained and is in receipt of pay out of the moneys provided by Parliament for Navy or Army services, he shall, for the purposes of this Part of this Act, be deemed, whilst so training, to be employed within the meaning of this Part of this Act and to be in the sole employment of the Crown. Provided that this subsection shall not

apply to a man who was not immediately before the training an insured person, except in such cases and under such circumstances as may be specified in a special order made by the Insurance Commissioners.

Special provisions where employer liable to pay wages during sickness.

47.—(1) The Insurance Commissioners shall from time to time make special orders specifying any classes of employment in which a custom or practice is shown to their satisfaction to prevail according to which the persons employed receive full remuneration during periods of disease or disablement, or any part thereof, and, where the custom or practice is confined to certain localities, the order shall also specify the localities in which the custom prevails, and, subject to the provisions of this section, the order may contain such incidental, supplemental, and consequential provisions as appear necessary for adapting the other provisions of this Part of this Act to cases under this section.

(2) It shall be lawful for any employer who employs persons in any class of employment specified in any such order, within a locality (if the custom is confined to certain localities) so specified, to give to the Insurance Commissioners the prescribed notice, and thereupon the employer shall, as respects all such persons, be subject to the liabilities, and this Part of this Act shall apply in respect of all such persons, subject to the modifications, herein-after mentioned.

(3) The employer shall be liable to pay full remuneration to every such person during any period or periods not exceeding six weeks in the aggregate in any one year during which such person may be suffering from any disease or disablement commencing while such person is in his employment, notwithstanding that such person may have left his employment before the expiration of that time:

Provided that, if any such person is engaged for a term of not less than six months certain, the employer shall be liable to pay full remuneration during any period of disease or disablement lasting less than six weeks, and for the first six weeks of any period of disease or disablement lasting more than six weeks, notwithstanding that the aggregate exceeds six weeks, but, where any such period extends beyond the term of the engagement, the employer shall not be liable to make any payment in respect of any part thereof after the expiration of such term.

(4) This Part of this Act shall apply in respect of persons so employed as aforesaid, subject to the following modifications:—

(*a*) Sickness benefit shall not be payable in respect of any period during which full remuneration is payable by the employer under this section, but, for the purpose of calculating the rate and duration thereof, shall be deemed to have been paid for six weeks before the date as from which it becomes actually payable:

(*b*) The employed rate shall be reduced by two pence (or, where the employed contributor is a woman, one penny halfpenny):

(*c*) The weekly contributions payable by the employer shall be reduced by one penny (or, where the employed contributor is a woman, one halfpenny), and the weekly contributions payable by the employed contributor shall be reduced by one penny:

(*d*) There shall be credited to the approved society of which any such person is a member, or, if he is a deposit contributor, to his account in the Post Office fund, the difference between the amount of contributions at such reduced rate actually paid in respect of him and the amount which would have been paid if those contributions had been at the full rate, and the amount of that difference shall be treated as having been expended on sickness benefit, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament:

(*e*) Contributions shall not be payable in respect of any period of disease or disablement during which full remuneration is payable under this section if the prescribed notice has been given:

(*f*) The rules of an approved society or Insurance Committee as to notices and proof of disease and disablement may extend to periods of disease and disablement during which full remuneration is payable under this section.

(5) Where a person on ceasing to be so employed becomes temporarily unemployed, paragraphs (*b*) and (*d*) of the last foregoing subsection shall continue to apply in respect of him, and sickness benefit shall not be payable in respect of the first six weeks of any period of disease or disablement commencing after he ceased to be so employed, but, for the purpose of calculating the rate and duration thereof, shall be deemed to have been paid during those six weeks, and notwithstanding anything in this Part of this Act a disease or disablement shall not, for the purposes of sickness benefit, be treated as a continuation of a previous disease or disablement unless the medical practitioner attending such person certifies that it in fact is so.

(6) Where such a person as aforesaid ceases to be employed within the meaning of this Part of this Act, and is entitled to become a voluntary contributor paying contributions at the employed rate, paragraphs (*b*) and (*d*) of subsection (4) shall, if he becomes a voluntary contributor, continue to apply in respect of him, and sickness benefit shall not be payable in respect of the first six weeks of any period of disease or disablement commencing after he became a voluntary contributor, but, for the purpose of calculating the rate and

duration thereof, shall be deemed to have been paid during those six weeks, and, notwithstanding anything in this Part of this Act, a disease or disablement shall not, for the purposes of sickness benefit, be treated as a continuation of a previous disease or disablement unless the medical practitioner attending such person certifies that it in fact is so:

Provided that, if any such person at any time wishes to become an ordinary voluntary contributor, he may become such after the payment of twenty-six weekly contributions at the full rate, or, if the society of which he is a member consents, after the payment of such less number of such contributions as the society may appoint.

(7) Where any employers wish to avail themselves of the provisions of this section as respects the persons employed by them in a class of employment, or in a locality, in which no such custom or practice as aforesaid exists, they may apply to the Insurance Commissioners, and the Commissioners, if, after ascertaining the views of the persons so employed, they think fit, may make a special order extending the provisions of this section as respects the applicants to the class of employment or locality mentioned in the application as if it were a class of employment or locality in which such a custom or practice as aforesaid prevailed.

(8) Any question as to whether an employer is entitled to avail himself of the provisions of this section as respects any persons employed by him shall be determined by the Insurance Committee, subject to appeal to the Insurance Commissioners.

(9) The payment of contributions purporting to be at the reduced rate authorised by this section as respects any persons employed by an employer in any class of employment, shall be conclusive evidence that he is, as respects those persons and all other persons employed by him in the same class of employment in the same locality, under the liability imposed by this section.

(10) An employer who has given such notice as aforesaid may, by giving three months' previous notice to the Insurance Committee, withdraw his notice as from the commencement of the next calendar year, and in such case, as from that date, this section shall cease to apply in respect of the persons employed by him in the class of employment to which the notice of withdrawal relates.

(11) None of the provisions of this section shall apply as respects any person employed at a rate of remuneration which is less than ten shillings a week.

(12) Nothing in this section shall relieve any employer from any legal liability to pay wages during sickness to any person employed by him in accordance with any established custom.

Special provisions as to the mercantile marine.

48. In the application of this Part of this Act to masters, seamen, and apprentices to the sea service and the sea fishing service, the following provisions shall have effect:—

57 & 58 Vict. c. 60.

(1) Neither sickness benefit nor disablement benefit shall be paid to a master, seaman, or apprentice suffering from any disease or disablement in respect of any period during which the owner of the ship is under the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or otherwise, liable to defray the expense of the necessary surgical and medical advice and attendance and medicine, and of his maintenance, but, for the purpose of calculating the rate and duration of sickness benefit, such benefit shall be deemed to have been paid from the commencement of the disease or disablement until the determination of such liability as aforesaid, and he shall not be entitled to medical benefit during such period:

(2) In the case of masters, seamen, and apprentices serving on foreign-going ships or ships engaged in regular trade on foreign stations, the employed rate and the employer's contributions shall each be reduced by one penny a week, and every four weekly contributions paid in any calendar year by a master, seaman, or apprentice whilst serving on such a ship shall, for the purposes of determining the number of contributions to be paid by him in that year and for the purposes of calculating arrears, be treated as five such contributions:

Provided that—

(*a*) nothing in this provision shall affect the number of employer's contributions to be paid in respect of such a master, seaman, or apprentice, but no employer's contributions paid in respect of any week in respect of which no contribution is payable by the master, seaman, or apprentice shall be taken into account in reckoning the amount of his arrears;

(*b*) there shall be credited to the approved society of which the master, seaman, or apprentice is a member, or, if he is a deposit contributor, to his account in the Post Office fund, a sum equal to two-fifths of the amount of the contributions actually paid in respect of him, and an equal sum shall be treated as having been expended on sickness benefit, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament:

(3) A master, seaman, or apprentice who is neither domiciled nor has a place of residence in the United Kingdom shall not be deemed to be employed within the

meaning of this Part of this Act, but the employer shall be liable to pay the same contributions in respect of him as would otherwise have been payable by him as employer's contributions, except in cases where the ship is engaged in regular trade on foreign stations:

(4) The Board of Trade shall, as soon as may be after the passing of this Act, cause a society to be formed, to be called the Seamen's National Insurance Society, of which any masters, seamen, and apprentices to the sea service and the sea fishing service who are employed within the meaning of this Part of this Act shall be entitled to become members, but nothing in this section shall prevent any such person joining another approved society instead of the society so formed:

(5) The affairs of the Seamen's National Insurance Society shall be managed by a committee constituted in accordance with a scheme to be prepared by the Board of Trade with the approval of the Insurance Commissioners, comprising representatives of the Board of Trade, of shipowners, and of members of the society in equal proportions, and the society shall, notwithstanding anything in this Part of this Act, become an approved society:

(6) All contributions paid by employers in respect of masters, seamen, or apprentices who are neither domiciled nor have a place of residence in the United Kingdom, and consequently deemed not to be employed within the meaning of this Part of this Act, shall be credited to the Seamen's National Insurance Society:

(7) In addition to medical, sanatorium, sickness, disablement, and maternity benefits, members of the Seamen's National Insurance Society shall be entitled to such other benefits as may be provided under a scheme to be prepared by the committee of management, with the approval of the Board of Trade and the Insurance Commissioners, and such other benefits shall include pensions for masters and seamen with long sea service, and the scheme may provide for preference being given to masters and seamen who have served in foreign-going ships or ships engaged in foreign trade over those who have served in the coasting and home trade ships, and such preference may be proportionate to the length of time spent in the first-mentioned service:

Provided that—

(*a*) the scheme shall provide for making a proper proportion of the sums credited to the Seamen's National Insurance Society under the last foregoing subsection applicable towards the payment of pensions or superannuation allowances granted by other approved societies to members with such sea service that, had they been members of the Seamen's National Insurance Society, they would have been entitled to pensions under the scheme; and

(*b*) in the case of the transfer of a member of the society to another approved society, the transfer value payable in respect of him shall be calculated with reference to the liabilities of the society for benefits other than such pensions as aforesaid:

(8) The rules of the Seamen's National Insurance Society shall provide for allowing a member who leaves the sea service and is unable to obtain admission to another approved society on account of the state of his health to continue a member of the Seamen's National Insurance Society for the purposes of this Part of this Act, and the rules of that society may provide that a member of the society who has fulfilled the conditions entitling him to such pension as aforesaid shall not be deprived of his right to the pension by reason only that he has ceased to be a member of the society at the time when the pension first becomes payable or ceases so to be at any subsequent time:

(9) Where a master, seaman, or apprentice is at the commencement of this Act a member of a society which becomes an approved society he may, if that society and the Seamen's National Insurance Society so agree, continue to be a member of the first-mentioned society for the purposes of benefits under this Part of this Act other than pension, and become a member of the last-mentioned society for the purposes of pension only, and in such case the balance of the contributions payable in respect of him (after deducting the sums to be retained by the Insurance Commissioners towards discharging their liabilities in respect of reserve values) shall be divided between the two societies in such proportion as they may agree:

(10) Expressions in this section have the same meaning as in the Merchant Shipping Acts, 1894 to 1907, but the expressions "foreign-going ships" and "home trade" ships include ships engaged in the sea fishing service, and the expression "ship engaged in regular trade on foreign stations" means a ship engaged regularly in trade between ports outside the British Islands when trading between such ports, but, for the purposes of this provision, a ship shall not be deemed not to be engaged in such a trade by reason only

that she puts into a port in the United Kingdom for the purpose of survey or repair :

(11) The provisions of this Part of this Act affecting the employed rate and the rates of contributions of employers and contributors in Ireland, and depriving insured persons in Ireland of medical benefit, shall not apply to any such master, seaman, or apprentice, unless he has a permanent place of residence in Ireland and is not a member of the Seamen's National Insurance Society ; and, in the case of a master, seaman, or apprentice serving on a foreign-going ship or a ship engaged in foreign trade to whom such provisions do apply the amount by which the employed rate and the employer's contributions are to be reduced shall be one halfpenny a week :

(12) Members of the Seamen's National Insurance Society shall, for the purposes of this Part of this Act, be deemed to reside in England, and the medical benefit and sanatorium benefit of such members shall be administered by the society instead of by the Insurance Committee, and the provisions of this Part of this Act relating to the administration of those benefits shall apply accordingly subject to such modifications as may be prescribed, but nothing in this provision shall prevent the society agreeing with Insurance Committees for the administration of those benefits by the Committees in relation to individual members of the society.

Provisions as to persons over sixty-five at commencement of Act

49.—(1) If any person who is of the age of sixty-five or upwards and under the age of seventy at the commencement of this Act is employed within the meaning of this Part of this Act, the like contributions shall, until he attains the age of seventy, be payable by his employer in respect of him as in the case of employed contributors, and the provisions of this Part of this Act relating to the payments of contributions and the recovery thereof shall apply accordingly.

(2) For every weekly contribution made by or in respect of such a person, there shall be contributed out of moneys provided by Parliament the sum of two pence.

(3) If such a person becomes a member of an approved society for the purposes of this section all contributions payable in respect of him under this section (including contributions out of moneys provided by Parliament) shall be credited to the society, and he shall become entitled to such benefits as the society may determine, but no reserve value shall be credited to the society in respect of him and no part of the contributions payable in respect of him shall be retained by the Insurance Commissioners towards the discharge of their liabilities in respect of reserve values.

(4) If such a person does not become a member of an approved society as aforesaid he shall become a deposit con-

tributor, and accordingly all contributions payable in respect of him (including contributions out of moneys provided by Parliament) shall be carried to his credit in the Post Office fund, but the benefits to which he becomes entitled shall be such as may be determined by the Insurance Committee.

(5) No part of the cost of benefits under this section shall be payable out of moneys provided by Parliament.

Special provisions as to seasonal trades.

50. Where it is proved to the satisfaction of the Insurance Commissioners that a trade or business carried on by any employers is of a seasonal nature and subject to periodical fluctuation, and that those employers systematically employ persons throughout the year and work short time during the season when the trade or business is depressed, the Insurance Commissioners may make a special order reducing, as respects such persons, the employed rate and the contributions payable by the employers and contributors to such extent and for such period in the year as may be specified in the order, and increasing such rate and contributions to a corresponding extent and for a corresponding period during the remainder of the year, and the order may contain such incidental, supplemental, and consequential provisions as may appear necessary for adapting the other provisions of this Part of this Act to cases under this section.

Special provisions as to inmates of charitable homes, &c.

51.—(1) Where the managers of any institution carried on for charitable or reformatory purposes prove that the persons who are inmates of and supported by the institution receive maintenance and medical attendance when sick, the Insurance Commissioners may grant a certificate of exemption to those managers, and, where such a certificate of exemption is granted, any such inmates who are employed by the managers of the institution shall not, in respect of such employment, be deemed to be employed within the meaning of this Part of this Act:

Provided that it shall be a condition of such exemption that the managers shall be liable to pay in respect of any such inmate who, having been an inmate of the institution for more than six months, leaves the institution, the following sums:—

(*a*) In the case of a person who was at the time of entering the institution below the age of sixteen, such capital sum as will be sufficient to secure him benefits under this Part of this Act at the full rate;

(*b*) In the case of a person who was at the time of entering the institution of the age of sixteen or upwards, and who was at that time an insured person and a member of an approved society, a sum equal to the value, calculated in the prescribed manner, of the contributions which, apart from this section, would have been payable in respect of him during the time he was in the institution.

(2) Every such inmate as aforesaid shall, if he was an insured person before entering the institution, be suspended

from benefits whilst he is such an inmate, and, if he was at such time a member of an approved society and has been an inmate of the institution for a period exceeding six months, the time during which he is in the institution shall be disregarded for the purpose of reckoning arrears.

Special provision as to persons becoming certificated teachers.

61 & 62 Vict. c. 57.

52. Where a person who has been employed to teach in a public elementary school ceases to be employed within the meaning of this Part of this Act by reason of becoming a teacher to whom the Elementary School Teachers (Superannuation) Act, 1898, applies and does not become a voluntary contributor, there shall be paid to the Board of Education by the approved society of which he is a member or, if he is not a member of an approved society, out of the amount standing to his credit in the Post Office fund, a sum equal to the value calculated in the prescribed manner of the contributions paid by or in respect of him under this Part of this Act since he first began to teach in a public elementary school, or, if the amount standing to his credit is less than that sum, then the whole amount so standing to his credit; and the sum so paid to the Board of Education shall be placed by them to his credit in the Deferred Annuity fund in accordance with the rules for the time being applicable thereto.

Application to other persons in the service of the Crown.

53.—(1) This Part of this Act shall apply to persons employed by or under the Crown, other than those with respect to whom special provision is made by this Part of this Act, in like manner as if the employer were a private person:

Provided that, in the case of a person employed in the private service of the Crown, the head of the department of the Royal Household in which he is employed shall be deemed to be his employer.

(2) The provisions of this Act relating to reduced insurance in cases where the employer is liable to pay wages during sickness shall extend in respect of persons employed by or under the Crown to cases where two-thirds only of the full remuneration are payable during periods, or parts of periods, of disease or disablement, if such remuneration is so payable for not less than three months in any year, and those provisions shall apply accordingly as if two-thirds of the full remuneration were substituted for the full remuneration and as if three months were substituted for six weeks as the maximum amount of time during any year such remuneration is payable.

Financial Provisions.

National Health Insurance Fund.

54.—(1) All sums received in respect of contributions under this Part of this Act and all sums paid out of moneys provided by Parliament under this Part of this Act in respect of the benefits thereunder and the expenses of administration of such benefits shall be paid into a fund, to be called the National Health Insurance Fund, under the control and management of the Insurance Commissioners, and the sums required to meet expenditure properly incurred by approved societies and insurance committees for the purposes of the benefits administered by them and the administration of such benefits shall be paid out of that fund.

(2) The sums payable to the said fund out of moneys provided by Parliament shall be paid in such manner and at such times as the Treasury may determine.

(3) The Insurance Commissioners shall ascertain periodically what sums standing in the National Health Insurance Fund to the credit of the several societies and of the Post Office fund and of the Navy and Army Insurance Fund are available for investment, and the amount so ascertained shall, so far as not required under the provisions of this Part of this Act to be paid over to societies for investment, or to be retained for investment on their behalf, or for the discharge of liabilities of societies, be carried to a separate account, called the Investment Account, and shall be paid over to the National Debt Commissioners and by them invested in accordance with regulations made by the Treasury in any securities which are for the time being authorised by Parliament as investments for Savings Banks funds, but those Commissioners shall, in making the investment, give preference to stock or bonds issued under the provisions of the Acts relating to borrowing for raising capital for the purposes of the local loans fund where the purposes for which such capital is required is the making of advances for the purposes of the Housing of the Working Classes Acts, 1890 to 1909:

Provided that nothing in this provision shall prevent the Insurance Commissioners paying over to the National Debt Commissioners for temporary investment, pending the ascertainment of the amount available for investment as aforesaid, any sums in the National Health Insurance Fund not required to meet current liabilities.

(4) There shall be credited to the Post Office fund and to the Navy and Army Insurance Fund interest at the prescribed rate per annum on the sums from time to time standing to the credit of those funds in the Investment Account.

(5) The accounts of the National Health Insurance Fund shall be audited by the Comptroller and Auditor-General in such manner as the Treasury may direct.

(6) The National Debt Commissioners shall present to Parliament annually an account of the securities in which moneys forming part of the said fund are for the time being invested.

Reserve values.

55.—(1) The Insurance Commissioners shall cause tables to be prepared showing, in cases in which such provision is necessary, the capital sums (in this Part of this Act referred to as "reserve values") which it is necessary to provide in respect of members entering into insurance at ages over the age of sixteen to meet the estimated loss (if any) arising through the acceptance by an approved society of such persons as members upon the terms and conditions as regards contributions and benefits prescribed by this Part of this Act.

(2) On a person of the age of seventeen or upwards joining an approved society for the purposes of this Part of this Act, there shall be credited to the society the reserve value (if any) appropriate to such person in accordance with such tables.

The sum so credited to a society in respect of reserve values shall carry interest at the rate of three per centum per annum.

(3) Out of each weekly contribution paid by or in respect of an insured person who is a member of an approved society (other than a voluntary contributor who entered into insurance within six months after the commencement of this Act and at the date of that entry was of the age of forty-five years or upwards) there shall be retained by the Insurance Commissioners the sum of one penny and five-ninths (or in the case of women one penny halfpenny), and the amounts so retained shall, together with any other moneys available for the purpose, be applied in manner provided by this Part of this Act towards discharging the liabilities of the Insurance Commissioners to approved societies in respect of the reserve values created by this section.

(4) The Insurance Commissioners shall periodically apportion amongst the several societies, including the Navy and Army Insurance Fund, the sums retained by them, and the sums, if any, otherwise available for the discharge of such liabilities as aforesaid, in proportion to the amount of reserve values for the time being credited to the several societies, and shall credit to each society the amount so apportioned, and any balance of the sums so credited to a society, after providing for interest on the reserve values for the time being credited to the society, shall be written off the amount of the reserve values so credited.

(5) If any person is convicted of the offence of knowingly making any false statement as to his age in any declaration made for the purpose of obtaining a reserve value to be credited to an approved society in respect of him, the reserve value shall be cancelled, and the member of the society in respect of whom it was credited shall be treated as if he had entered into insurance after the expiration of one year from the commencement of this Act.

Transactions between the Insurance Commissioners and societies.

56.—(1) The Insurance Commissioners shall, subject to the approval of the Treasury, make regulations with respect to crediting and debiting to the several societies sums received and paid by the Insurance Commissioners on behalf of and to societies and as to the payments to be made by and to the Commissioners to and by societies, and those regulations shall, amongst other things—

(*a*) provide for crediting to each society the contributions paid by or in respect of the members of the society after deducting the amounts retained thereout for discharging the liabilities of the Insurance Commissioners in respect of reserve values;

(*b*) require the Insurance Commissioners, on carrying any sum to the credit of an approved society in the investment account, to pay over to the society for investment, or, at the request of the society, to retain for investment on behalf of the society, four-sevenths, or, so far as the sums are attributable to women, one-half, of the amount so credited to the society;

(*c*) provide for crediting to each society interest at the prescribed rate per annum on the sums for the time being standing to the credit of the society in the investment account;

(*d*) provide for the discharge of debit balances in such manner as the Insurance Commissioners determine, either by the reduction of the reserve values credited to the society or out of the proceeds of the realisation of securities held by the society or by the Commissioners on behalf of the society, and out of the sums standing to the credit of the society in the investment account, proportionately:

Provided that, in the case of any society which gives notice to that effect to the Insurance Commissioners, no part of the sums carried to the credit of the society in the investment account shall be paid over to the society or retained by the Commissioners for investment on its behalf, but the whole amount shall remain to the credit of the society in the investment account, and in such case the regulations made under the foregoing provisions shall apply to the society subject to the prescribed modifications.

(2) Every approved society shall invest any sums paid to the society for investment, and shall for the purpose have power to invest in any securities in which trustees are for the time being by law empowered to invest trust funds, or in any stocks, mortgages, or other securities issued by any local authority within the meaning of the Local Loans Act, 1875, and charged on any rates levied by or on the order or precept of such authority, or in any other securities for the time being approved by the Insurance Commissioners.

38 & 39 Vict. c. 83.

(3) Where, at the request of a society, the Insurance Commissioners instead of paying over any sum to the society retain such sum for investment on behalf of the society, they shall invest such sum in accordance with the directions of the society in any securities in which the society might have invested it had it been paid over to the society, and shall from time to time vary such investments in accordance with the like directions, and shall pay over to the society all sums received by way of interest or dividend on the investments held by them on behalf of the society.

(4) Every approved society shall apply the sums received by way of interest or dividend on investments held by the society or by the Insurance Commissioners on behalf of the society towards the cost of the benefits under this Part of this Act of the members of the society and the cost of the administration of those benefits, or otherwise, as the Insurance Commissioners may prescribe.

Insurance Commissioners: Advisory Committee.

Constitution of Insurance Commissioners, appointment of inspectors, &c.

57.—(1) As soon as may be after the passing of this Act there shall be constituted for the purposes of this Part of this Act Commissioners (to be called the Insurance Commissioners), with a central office in London, and with such branch offices as the Treasury may think fit, and the Commissioners shall be appointed by the Treasury, and of the Commissioners so appointed one at least shall be a duly qualified medical practitioner who has had personal experience of general practice.

(2) The Insurance Commissioners may sue and be sued, and may for all purposes be described by that name, and shall have an official seal which shall be officially and judicially noticed, and such seal shall be authenticated by any Commissioner or the secretary to the Commissioners, or some person authorised by the Commissioners to act on behalf of the secretary.

(3) The Insurance Commissioners may appoint such officers, inspectors, referees, and servants, for the purposes of this Part of this Act as the Commissioners, subject to the approval of the Treasury as to number, may determine, and there shall be paid out of moneys provided by Parliament to the Commissioners and to such officers, inspectors, referees, and servants, such salaries or remuneration as the Treasury may determine; and any expenses incurred by the Treasury (including the remuneration of valuers and auditors appointed by the Treasury) or the Commissioners in carrying this Part of this Act into effect, to such extent as the Treasury may sanction, shall be defrayed out of moneys provided by Parliament.

(4) Every document purporting to be an order or other instrument issued by the Insurance Commissioners and to be sealed with the seal of the Commissioners authenticated in manner provided by this section, or to be signed by the secretary to the Commissioners or any person authorised by the Commissioners to act on behalf of the secretary, shall be received in evidence and be deemed to be such order or instrument without further proof, unless the contrary is shown.

(5) The Insurance Commissioners may empower any inspector appointed by them to exercise in respect of any approved society or any branch of an approved society all or any of the powers given by section seventy-six of the

59 & 60 Vict. c. 25.

Friendly Societies Act, 1896, to an inspector appointed thereunder:

Provided that any complaint or report as to any such branch as aforesaid made by an inspector under this subsection shall be communicated to the central body or other central authority of the society.

Appointment of Advisory Committee.

58. The Insurance Commissioners shall, as soon as may be after the passing of this Act, appoint an Advisory Committee for the purpose of giving the Insurance Commissioners advice and assistance in connexion with the making and altering of regulations under this Part of this Act, consisting of representatives of associations of employers and approved societies, of duly qualified medical practitioners who have personal experience of general practice, and of such other persons as the Commissioners may appoint, of whom two at least shall be women.

Insurance Committees.

Appointment of Insurance Committees.

59.—(1) An Insurance Committee shall be constituted for every county and county borough.

(2) Every such committee shall consist of such number of members as the Insurance Commissioners, having regard to the circumstances of each case, determine, but in no case less than forty or more than eighty, of whom—

(*a*) three-fifths shall be appointed in such manner as may be prescribed by regulations of the Insurance Commissioners so as to secure representation of the insured persons resident in the county or county borough who are members of approved societies, and who are deposit contributors, in proportion, as nearly as may be, to their respective numbers;

(*b*) one-fifth shall be appointed by the council of the county or county borough;

(*c*) two members shall be elected in manner provided by regulations made by the Insurance Commissioners, either by any association of duly qualified medical practitioners resident in the county or county borough which may have been formed for that purpose under such regulations, or, if no such association has been formed, by such practitioners;

(*d*) one member or, if the total number of the committee is sixty or upwards, two members, or, if the total number of the committee is eighty, three members, shall be duly qualified medical practitioners appointed by the council of the county or county borough;

(*e*) the remaining members shall be appointed by the Insurance Commissioners:

Provided that—

(i) The regulations with respect to the appointment of members to represent insured persons shall provide for conferring on the approved societies which have members resident in the county or county borough the power of appointing the representatives of such members, and, where an association of the deposit contributors resident in the county or county borough has been formed under such regulations as aforesaid, for conferring on such association the power of appointing the representatives of the deposit contributors;

(ii) Of the members appointed by the council of the county or county borough two at least shall be women, and of the members appointed by the Insurance Commissioners one at least shall be a duly qualified medical practitioner and two at least shall be women.

(3) The Insurance Commissioners may, where any part of the cost of medical benefit or sanatorium benefit is defrayed by the council of the county or county borough, increase the representation of the council and make a corresponding diminution in the representation of the insured persons.

(4) The Insurance Commissioners may make regulations as to the appointment, quorum, term of office, and rotation of members and proceedings generally (including the appointment of sub-committees consisting wholly or partly of members of the committee) of the committee, and the employment of officers and the provision of offices by the committee, including the use by the committee, with or without payment, of any offices of a local authority, but subject to the consent of such authority, and any such regulations may provide for the constitution of district insurance committees, and for apportioning amongst the several district insurance committees any of the powers and duties of the Insurance Committee and regulating the relations of district insurance committees to the Insurance Committee and to one another:

Provided that the regulations so made shall require the Insurance Committee of every county (except in cases where, owing to special circumstances, the Commissioners consider it unnecessary) within six months after the commencement of this Act to prepare after consultation with the county council and submit for approval to the Commissioners a scheme for the appointment of district insurance committees for the county and prescribing the area to be assigned to each such committee, and in particular the scheme shall provide for the appointment of a district insurance committee for each borough (including the City of London and a metropolitan borough) within the county having a population of not less than ten thousand, and for each urban district within the county with a population of not less than twenty thousand, but, if the Insurance Committee or, on appeal, the Insurance Commissioners consider it expedient in the case of any such borough (outside London) or urban district, any adjoining areas may be grouped with such borough or urban district for the purpose of the appointment of a district insurance committee.

(5) Any Insurance Committee may, and shall if so required by the Insurance Commissioners, combine with any one or more other Insurance Committees for all or any of the purposes of this Part of this Act, and, where they so combine, the provisions of this Part of this Act shall apply with such necessary adaptations as may be prescribed.

Powers and duties of Insurance Committees.

60.—(1) The Insurance Committee of a county or county borough shall, in addition to the other powers and duties conferred and imposed on it by this Part of this Act, have the following powers and duties:—

(*a*) It shall make such reports as to the health of insured persons within the county or county borough as the Insurance Commissioners, after consultation with the Local Government Board, may prescribe, and shall furnish to them such statistical and other returns as they may require, and may make to them such other reports on the health of such persons and the conditions affecting the same, and may make such suggestions with regard thereto as it may think fit, and the Insurance Commissioners shall forward to the councils of the counties, boroughs, and urban and rural districts, which appear to them to be affected by or interested in any such reports, returns, or suggestions, copies of such reports, returns, and suggestions, and the reports and returns so made shall include such reports and returns as will enable an analysis and classification to be made of the persons who are deposit contributors:

(*b*) It shall make such provision for the giving of lectures and the publication of information on questions relating to health as it thinks necessary or desirable, and may, if it thinks fit, for that purpose make arrangements with local education authorities, universities and other institutions:

(*c*) It shall keep proper books and accounts in the prescribed form and shall, when required, submit such accounts to audit by auditors appointed by the Treasury.

(2) For the purpose of assisting Insurance Committees in the exercise and performance of their powers and duties under this Part of this Act, and with a view to promoting co-operation between such committees and the councils of counties, boroughs, and urban and rural districts, any medical officer of health may, at the request of an Insurance Committee and with the consent of the council by whom he is appointed, attend meetings of the committee and give such advice and assistance as is in his power.

(3) For the purposes of this section, the council of a borough includes the mayor, aldermen, and commons of the City of

London in common council assembled, and the council of a metropolitan borough.

Income.

61.—(1) All sums available for sanatorium benefit in a county or county borough, and all sums payable in respect of the members of approved societies and deposit contributors resident in the county or county borough for the purposes of medical benefit and administrative expenses in any year, shall be paid or credited to the Insurance Committee at the commencement of that year.

(2) There shall also be paid to the Insurance Committee in every year by each approved society having members who are insured persons resident in the county or county borough, in respect of each such member, the sum of one penny towards the administrative expenses of the committee:

Provided that, if the special circumstances of any county are such that the Insurance Commissioners consider that the travelling expenses of the members of the committee should be repaid to them by the committee, the Insurance Commissioners may authorise such repayment, and in such case may increase the said sum of one penny to such sum, not exceeding twopence, as they may determine.

(3) It shall be lawful for any local authority, out of any fund or rate out of which the expenses of the authority are payable, to subscribe such sums as it may think fit towards the general purposes of the Insurance Committee.

Local medical committees.

62. Where a local medical committee has been formed for any county or county borough or for any area for which a district committee has been formed and the Insurance Commissioners are satisfied that such committee is representative of the duly qualified medical practitioners resident in the county or county borough or such area as aforesaid, they shall recognise such committee, and, where a local medical committee has been so recognised, it shall, subject to regulations made by the Insurance Commissioners, be consulted by the Insurance Committee or district committee, as the case may be, on all general questions affecting the administration of medical benefit, including the arrangements made with medical practitioners giving attendance and treatment to insured persons, and shall perform such other duties, and shall exercise such powers, as may be determined by the Insurance Commissioners.

Excessive Sickness.

Inquiries into causes of excessive sickness, &c.

63.—(1) Where it is alleged by the Insurance Commissioners or by any approved society or Insurance Committee that the sickness which has taken place among any insured persons, being, in the case where the allegation is made by a society or committee, persons for the administration of whose sickness and disablement benefits the society or committee is responsible, is excessive, and that such excess is due to the conditions or nature of employment of such persons, or to bad housing or insanitary conditions in any locality, or to an insufficient or contaminated water supply, or to the neglect on the part of any person or authority to observe or enforce the provisions of any Act relating to the health of workers in factories, workshops, mines, quarries, or other industries, or relating to public health, or the housing of the working classes, or any regulations made under any such Act, or to observe or enforce any public health precautions, the Commissioners or the society or committee making such allegation may send to the person or authority alleged to be in default a claim for the payment of the amount of any extra expenditure alleged to have been incurred by reason of such cause as aforesaid, and, if the Commissioners, society, or committee and such person or authority fail to arrive at any agreement on the subject, may apply to the Secretary of State or the Local Government Board, as the case may require, for an inquiry, and thereupon the Secretary of State or Local Government Board may appoint a competent person to hold an inquiry.

(2) If, upon such inquiry being held, it is proved to the satisfaction of the person holding the inquiry that the amount of such sickness has—

(i) during a period of not less than three years before the date of the inquiry; or

(ii) if there has been an outbreak of any epidemic, endemic or infectious disease, during any less period;

been in excess of the average expectation of sickness by more than ten per cent., and that such excess was in whole or in part due to any such cause as aforesaid, the amount of any extra expenditure found by the person holding the inquiry to have been incurred under this Part of this Act by any societies or committees where the allegation is made by the Insurance Commissioners, or, if the allegation is made by a society or committee, by the society or committee in question, by reason of such cause shall be ordered by him to be made good in accordance with the following provisions:—

(*a*) Where the excess or such part thereof as aforesaid is due to the conditions or nature of the employment or to any neglect on the part of any employer to observe or enforce any such Act or regulation as aforesaid, it shall be made good by the employer:

(*b*) Where such excess or such part thereof as aforesaid is due to bad housing or insanitary conditions in the locality, or to any neglect on the part of any local authority to observe or enforce any such Act or regulation or such precautions as aforesaid, it shall be made good by such local authority as appears to the person holding the inquiry to have been in default, or, if due to the insanitary condition of any particular premises, shall be made good either by such authority or by the owner, lessee, or occupier of the premises who is proved to the satisfaction of the person holding the inquiry to be responsible:

(c) Where the excess or such part thereof as aforesaid is due to an insufficient or contaminated water supply, it shall be made good by the local authority, company, or person by whom the water is supplied, or who having imposed upon them the duty of affording a water supply have refused or neglected to do so, unless the local authority, company, or person prove that such insufficiency or contamination was not due to any default on the part of the authority, company, or person, but arose from circumstances over which they had no control.

(3) Where any such inquiry as aforesaid is held in respect of bad housing or insanitary conditions in any locality, it shall be lawful for the local authority to serve notice upon the owner, lessee, or occupier of any premises which are the subject-matter of the inquiry, and, where it is proved that such a notice has been served and that any such extra expense as aforesaid, or any part thereof, has been caused by the act or default of such owner, lessee or occupier, the person holding the inquiry may order the owner, lessee, or occupier to repay to the local authority the amount of the extra expenditure or part thereof which has been so caused.

(4) For the purpose of this section, the average expectation of sickness shall be calculated in accordance with the tables prepared by the Insurance Commissioners for the purpose of valuations under this Part of this Act, but any excessive sickness attributable to any disease or disablement which is due to any disease or injury in respect of which damages or compensation are payable under the Employers' Liability Act, 1880, or the Workmen's Compensation Act, 1906, or at common law, shall not be taken into account.

(5) The Insurance Commissioners shall make regulations as to the procedure on inquiries under this section, and a person holding an inquiry under this section shall have all such powers as an inspector of the Local Government Board has for the purposes of an inquiry under the Public Health Acts, and shall have power to order how and by what parties costs, including such expenses as the Secretary of State or Local Government Board may certify to have been incurred by them, are to be paid, and an order made by such person under this section may, by leave of the High Court, be enforced in the same manner as a judgment or order of the Court to the same effect:

Provided that a society or committee shall not be ordered to pay the costs of the other party to the inquiry if the person holding the inquiry certifies that the demand for an inquiry was reasonable under the circumstances, and, when he so certifies, the Treasury may repay to the society or committee the whole or any part of the costs incurred by it.

(6) Without prejudice to any other method of recovery, any sum ordered under this section to be paid by a local authority may, in accordance with the regulations of the Local Government Board with the approval of the Treasury, be paid out of the Local Taxation Account and deducted from any sums payable either directly or indirectly out of that account to the local authority.

(7) For the purposes of this section, any expenditure on any benefit administered by an Insurance Committee shall be deemed to be expenditure of that Committee, but any sums paid to any such Committee under this section to meet extra expenditure on sickness benefit or disablement benefit shall be dealt with for the benefit of deposit contributors in accordance with regulations made by the Insurance Commissioners.

(8) Where under this section any sum is paid to the Insurance Commissioners, the Insurance Commissioners shall apply the same in discharge of any expenses incurred by the Commissioners under this section and shall distribute the balance amongst the societies and committees which appear to the Commissioners to have incurred extra expense on account of the excessive sickness in such proportions as the Commissioners think just.

(9) Where an association of deposit contributors resident in any county or county borough has been formed under regulations made by the Insurance Commissioners, the Insurance Committee for the county or county borough shall, if so required by the association, take proceedings under this section on behalf and at the expense of the association.

Supplementary Provisions.

Provision of sanatoria, &c.

64.—(1) If under any other Act of the present session any sum is made available for the purposes of the provision of or making grants in aid to sanatoria and other institutions for the treatment of tuberculosis or such other diseases as the Local Government Board with the approval of the Treasury may appoint, such sum shall be distributed by the Local Government Board with the consent of the Treasury in making grants for those purposes, and the Treasury before giving their consent shall consult with the Insurance Commissioners:

Provided that such sum shall be apportioned between England, Wales, Scotland, and Ireland in proportion to their respective populations ascertained in accordance with the returns of the census taken in the year nineteen hundred and eleven.

(2) If any such grant is made to a county council, the Local Government Board may authorise the county council to provide any such institution, and, where so authorised, the county council shall have power to erect buildings and to manage and maintain the institution and for that purpose to enter into agreements and make arrangements with the Insurance Committees and other authorities and persons, and to do all such

things as may be necessary for the purposes aforesaid, and any expenses of the county council, so far as not defrayed out of the grant, shall be defrayed out of the county fund as expenses for general county purposes, or, if the order of the Local Government Board so directs, as expenses for special county purposes charged on such part of the county as may be provided by the order.

(3) For the purpose of facilitating co-operation amongst county councils, county borough councils, and other local authorities (not being Poor Law authorities) for the provision of such sanatoria and other institutions as aforesaid, the Local Government Board may by order make such provisions as appear to them necessary or expedient, by the constitution of joint committees, joint boards, or otherwise, for the joint exercise by such councils and authorities of their powers in relation thereto, and any such order may provide how, in what proportions, and out of what funds or rates the expenses of providing such institutions, so far as they are not defrayed out of grants under this section, are to be defrayed, and may contain such consequential, incidental, and supplemental provisions as may appear necessary for the purposes of the order, and an order so made shall be binding and conclusive in respect of the matters to which it relates.

(4) An Insurance Committee may, with the consent of the Insurance Commissioners, enter into agreements with any person or authority (other than a Poor Law authority) that, in consideration of such person or authority providing treatment in a sanatorium or other institution or otherwise for persons recommended by the Committee for sanatorium benefit, the Committee will contribute out of the funds available for sanatorium benefit towards the maintenance of the institution or provision of such treatment, such annual or other payment, and subject to such conditions and for such period as may be agreed, and any such agreement shall be binding on the Committee and their successors, and any sums payable by the Committee thereunder may be paid by the Insurance Commissioners and deducted from the sums payable to the Committee for the purposes of sanatorium benefit.

Power to Insurance Commissioners to make regulations, &c.

65. The Insurance Commissioners may make regulations for any of the purposes for which regulations may be made under this Part of this Act or the schedules therein referred to, and for prescribing anything which under this Part of this Act or any such schedules is to be prescribed, and generally for carrying this Part of this Act into effect, and any regulations so made shall be laid before both Houses of Parliament as soon as may be after they are made, and shall have effect as if enacted in this Act:

Provided that, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such regulation is laid before it, praying that the regulation may be annulled, His Majesty in Council may annul the regulation, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

Determination of questions by Insurance Commissioners.

66.—(1) If any question arises—

(*a*) as to whether any employment or any class of employment is or will be employment within the meaning of this Part of this Act or as to whether a person is entitled to become a voluntary contributor; or

(*b*) as to the rate of contributions payable by or in respect of any insured person; or

(*c*) as to the rates of contributions payable in respect of an employed contributor by the employer and the contributor respectively;

the question shall be determined by the Insurance Commissioners, in accordance with regulations made by them for the purpose: Provided that—

(i) if any person feels aggrieved by the decision of the Insurance Commissioners on any question arising under paragraph (*a*), he may appeal therefrom to the county court, with a further right of appeal upon any question of law to such judge of the High Court as may be selected for the purpose by the Lord Chancellor, and the decision of that judge shall be final;

(ii) the regulations of the Insurance Commissioners may provide for questions under paragraph (*b*) being determined, in the case of any person who is or is about to become a member of an approved society, by the society;

(iii) the Insurance Commissioners may, if they think fit, instead of themselves deciding whether any class of employment is or will be employment within the meaning of this Part of this Act, submit the question for decision to the High Court in such summary manner as subject to rules of court may be directed by the court, and the court, after hearing such parties and taking such evidence (if any) as it thinks just, shall decide the question, and the decision of the court shall be final.

(2) This section shall come into operation on the passing of this Act.

Disputes.

67.—(1) Subject to the provisions of the foregoing section every dispute between—

(*a*) An approved society or a branch thereof and an insured person who is a member of such society or branch or any person claiming through him;

(*b*) An approved society or branch thereof, and any person who has ceased to be a member for the purposes of this Part of this Act of such society or branch, or any person claiming through him;

(*c*) An approved society and any branch thereof;

(*d*) Any two or more branches of an approved society;

relating to anything done or omitted by such person, society, or branch (as the case may be) under this Part of this Act or any regulation made thereunder, shall be decided in accordance with the rules of the society, but any party to such dispute may, in such cases and in such manner as may be prescribed, appeal from such decision to the Insurance Commissioners.

Rule requiring panel doctors cert^s (two or) ultra vires:— The matter not being one of domestic admin. which under the Act is for arbitn. the Ct can make a decln. Hood v. Pickstone 1913 3 KB 99

(2) Every dispute between an insured person and the Insurance Committee, relating to anything done or omitted by such person or the Insurance Committee under this Part of this Act, or any regulation made hereunder, shall be decided in the prescribed manner by the Insurance Commissioners.

(3) The Insurance Commissioners may authorise referees appointed by them to decide any appeal or dispute submitted to the Insurance Commissioners under this section.

(4) The Insurance Commissioners may make regulations as to the procedure on any such appeal or dispute, and such regulations may apply any of the provisions of the Arbitration Act, 1889, but, except so far as it may be so applied, the Arbitration Act, 1889, shall not apply to proceedings under this section, and any decision given by the Insurance Commissioners or a referee under this section shall be final and conclusive.

52 & 53 Vict. c. 49.

Protection against distress and execution in certain cases.

68.—(1) Where the medical practitioner attending on any insured person in receipt of sickness benefit certifies that the levying of any distress or execution upon any goods or chattels belonging to such insured person and being on premises occupied by him, or the taking of any proceedings in ejectment or for the recovery of any rent or to enforce any judgment in ejectment against such person, would endanger his life, and such certificate has been sent to the Insurance Committee and has been recorded in manner herein-after provided, it shall not be lawful during any period named in the certificate for any person to levy any such distress or execution or to take any such proceedings or to enforce any such judgment against the insured person:

Provided that, if any person desirous of levying such distress or execution or taking such proceedings or enforcing such judgment disputes the accuracy of the certificate, he may apply to the registrar of the county court, who, if he is of opinion that the certificate should be cancelled or modified, may make an order cancelling or modifying it, and no appeal shall lie against any such order or a refusal to make any such order.

(2) A certificate granted for the purpose of this section shall continue in force for one week or such less period as may be named in the certificate, but may be renewed from time to time for any period not exceeding one week, up to but not beyond the expiration of three months from the date of the grant of the

original certificate, but no such renewal shall have effect unless sent to the Insurance Committee and recorded as aforesaid:

Provided that the protection conferred by this section shall not extend beyond the expiration of one month from such date if, on demand being made by the person desirous of levying such distress or execution, or taking such proceedings, or enforcing such judgment, proper security is not given for payment of rent thereafter to become due from the insured person or the amount of the judgment debt, as the case may be, and any dispute as to the sufficiency of the security shall be determined by the registrar of the county court whose decision shall be final and not subject to appeal.

(3) If any person knowingly levies or attempts to levy any such distress or execution or takes any such proceedings or enforces or attempts to enforce any such judgment in contravention of this section, he shall be liable on summary conviction to a fine not exceeding fifty pounds.

(4) A certificate or renewal thereof granted under this section shall forthwith be sent to the Insurance Committee, and the Committee shall, unless it has reason to suspect its genuineness, record it in a special register without fee, and such register shall, at all reasonable times, be open to inspection; and, where so recorded, its genuineness shall not be questioned in any proceedings against a sheriff or other officer for failure to levy any distress or execute any warrant.

(5) Where the time within which a warrant may be executed is limited, any period during which the warrant cannot be executed by reason of the provisions of this section shall be disregarded in computing the time within which the warrant may be executed.

Offences.

69.—(1) If, for the purpose of obtaining any benefit or payment or the crediting of a reserve value under this Part of this Act, either for himself or for any other person, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding three months with or without hard labour.

(2) If any employer has failed to pay any contributions which under this Part of this Act he is liable to pay in respect of an employed contributor, or if any such employer, any insured person, or any other person is guilty of any other contravention of or non-compliance with any of the requirements of this Part of this Act or the regulations made thereunder in respect of which no special penalty is provided, he shall for each offence be liable on summary conviction to a fine not exceeding ten pounds, and where the offence is failure or neglect on the part of the employer to make any such contributions, to pay to the Insurance Commissioners a sum equal to the amount of the contributions which he has so failed or neglected to pay, which sum when paid shall be treated as a payment in satisfaction of such contributions:

Fine & amt of
contribns may
both be ordered.
R v Daggall or
1913. 1KB290
Each failure to
pay is an offence, &c

Provided that no person shall be liable to any penalty in respect of any matter if he has acted in conformity with any decision in respect thereto by the Insurance Commissioners, or, if the matter is one which the Insurance Committee is competent to decide, in conformity with its decision.

Civil proceedings against employer for neglecting to pay contributions.

70.—(1) Where an employer has failed or neglected to pay any contributions which under this Part of this Act he is liable to pay in respect of a person being a member of an approved society in his employment, and by reason thereof that person has been deprived in whole or in part of his right to any benefits which would otherwise have been payable to him, he shall be entitled to take proceedings against the employer for the value of the right of which he has been so deprived, and in any such proceedings the employer may be ordered to pay to the Insurance Commissioners a sum equal to the value so ascertained, which sum when paid shall be carried to the credit of the society of which such person is a member, and thereupon such person shall thenceforth be entitled to receive from the society benefits at the same rate as he would have been entitled to had the contributions been properly paid, together with the difference between the amount of the benefits (if any) he has actually received and the benefits he would have received had the contributions been properly paid.

(2) Proceedings may be taken under either this or the last preceding section notwithstanding that proceedings have also been taken under the other section in respect of the same failure or neglect to pay contributions.

Repayment of benefits improperly paid.

71. If it is found at any time that a person has been in receipt of any payment or benefit under this Part of this Act without being lawfully entitled thereto he, or in the case of his death his personal representatives, shall be liable to repay to the Insurance Commissioners the amount of such payment or benefit, and any such amount may be recovered as a debt due to the Crown and when so recovered shall be carried to the credit of the society of which such person was a member, or if he was not a member of any approved society, of the Post Office fund.

Provisions as to application of existing funds of friendly societies.

72.—(1) Every registered friendly society which provides benefits similar to any of those conferred by this Part of this Act, shall submit to the Registrar of Friendly Societies a scheme for continuing, abolishing, reducing, or altering such benefits as respects members who become insured persons and for continuing, abolishing, or reducing the contributions of such members, so, however, that the combined effect of the alteration of the benefits and contributions shall not prejudicially affect the solvency of the society, and, if the scheme or a supplementary scheme shows on an actuarial valuation that, owing to the alterations in the benefits and contributions effected by the scheme, any part of the existing funds of the society is set free as not being required to meet the liabilities of the society, the scheme or the supplementary scheme shall provide for the application of the part of the funds so set free in any one or more of the following ways:—

(*a*) towards the cost of the provision of other or increased benefits payable by the society independently of this Part of this Act to existing members whether insured persons or not;

(*b*) in reduction of the contributions payable by such members in respect of the benefits payable by the society independently of this Part of this Act;

(*c*) towards the payment or repayment of contributions payable under this Part of this Act by such of its existing members as are entitled and elect to receive benefits under this Part of this Act through the society.

(2) This section shall apply to branches of registered societies in like manner as to societies: Provided that a society with branches may, if it so desires (subject always to the exercise of any right of a branch, expressly conferred by the rules of the society, to dispose of any of its funds for the benefit solely of the members of the branch), submit a scheme applicable to all its branches, and it shall be competent for the society to provide by its scheme or supplementary scheme for the application of the whole or any part of any sums so set free towards the discharge of any deficiencies in any of its branches which may be found to exist on such actuarial valuation as aforesaid.

(3) Any scheme adopted by a society or branch of a society in accordance with its rules when confirmed by the Registrar of Friendly Societies shall be deemed to be incorporated in the registered rules of the society or branch and may be amended accordingly, so, however, that no amendment shall be inconsistent with the provisions of this section.

(4) This section shall apply to seamen, marines, and soldiers, from whose pay deductions are made under this Part of this Act as if they were insured persons, and for the purposes of this section "existing" means existing at the passing of this Act.

(5) This section shall come into operation on the passing of this Act.

Provisions as to existing employers' provident funds.

73.—(1) Where at the passing of this Act a superannuation or other provident fund has been established for the benefit of the persons employed by one or more employers, the provisions of the last foregoing section shall apply with the necessary adaptations and with this modification that, where under the Act, deed, or other instrument establishing the fund or otherwise any sum is payable by the employer towards benefits secured by the Act or deed, and those benefits include benefits similar to any of those conferred by this Part of this Act, the scheme may provide for allowing the employer to deduct from any contributions payable by him as aforesaid towards benefits of a nature similar to those under this Part of this Act an amount not exceeding the amount of the employer's contributions payable by him under this Part of this Act.

(2) Where the fund is one out of which pensions or superannuation allowances are payable, and it is proved to the satisfaction of the Insurance Commissioners that the rearrangements required in consequence of this Part of this Act will, upon a valuation under the existing rules of the fund, affect prejudicially the sum available for the payment of pensions or superannuation allowances, the Insurance Commissioners may grant a certificate authorising the value of the prospective extension of benefits under this Part of this Act when the reserve values have been written off as herein-before provided, to be brought into account in the valuation of the assets available for the discharge of the liabilities of the fund in respect of pensions and superannuation allowances.

Provisions as to minors who are members of approved societies.

74. Any member of an approved society who is a minor may execute all instruments and give all acquittances necessary to be executed or given under the rules of such society, but shall not be a member of the Committee or a trustee, manager, or treasurer of such society or any branch thereof.

Power for societies to register under Friendly Societies Act. 1896.

75. Any society for the purpose of carrying on business under this Act, either alone or together with any purpose mentioned in section eight, subsection (1), of the Friendly Societies Act, 1896, may, after the passing of this Act, be registered as a friendly society under the Friendly Societies Act, 1896, notwithstanding that the contributions under this Act are not voluntary.

Application of Acts of Parliament to approved societies and sections.

76.—(1) Except in so far as may be inconsistent with this Part of this Act, any business transacted under this Part of this Act by any approved society shall be treated as part of the ordinary business transacted by societies of the class to which that society belongs, and any enactment applying to the society in relation to the transaction of such ordinary business shall apply accordingly in relation to the business transacted by the society under this Part of this Act.

(2) This section shall apply to an approved society which is a separate section of another body, subject to the necessary adaptation.

Powers of the Local Government Board.

77.—(1) The Local Government Board may, for the purposes of their powers and duties under this Part of this Act, hold such local inquiries and investigations as they may think fit, and the Board and their inspectors shall have for the purposes of such an inquiry the same powers as they respectively have for the purposes of an inquiry under the Public Health Acts, and the expenses incurred by the Board in respect of such inquiries and other proceedings under this Part of this Act (including the salary of any inspector or officer of the Board engaged in the inquiry or proceedings, not exceeding three guineas a day) shall be paid by such authorities and persons and out of such funds and rates as the Board may by order direct, and the Board may certify the amount of the expenses so incurred, and any sum so certified and directed by the Board to be paid by the authority or person shall be a debt from that authority or person to the Crown: Provided that this provision shall not apply to inquiries with respect to responsibility for excessive sickness.

(2) Any approval given by the Local Government Board under this Part of this Act may be given for such term, and subject to such conditions as the Board may think fit, and the Board shall have power to withdraw any approval which they have given.

(3) The Local Government Board may make it a condition of any approval to be given, or grant of money to be made under this Part of this Act, that the Board shall have such powers of inspection as may be agreed.

Power to remove difficulties.

78. If any difficulty arises with respect to the constitution of Insurance Committees, or the advisory committee, or otherwise in bringing into operation this Part of this Act, the Insurance Commissioners, with the consent of the Treasury, may by order make any appointment and do anything which appears to them necessary or expedient for the establishment of such committees or for bringing this Part of this Act into operation, and any such order may modify the provisions of this Act so far as may appear necessary or expedient for carrying the order into effect: Provided that the Insurance Commissioners shall not exercise the powers conferred by this section after the first day of January nineteen hundred and fourteen.

Interpretation.

79. For the purposes of this Part of this Act, unless the context otherwise requires,—

The expression "branch," in relation to a society, shall not include any branch of the society which is not itself separately registered;

The expression "disease or disablement" means such disease or disablement as would entitle an insured person to sickness or disablement benefit;

The expression "dependants," in relation to any person, includes such persons as the approved society or Insurance Committee shall ascertain to be wholly or in part dependent upon his earnings;

A person whose normal occupation is employment within the meaning of this Part of this Act shall, for the purpose of reckoning the number and rate of contributions, be deemed to continue to be an employed contributor notwithstanding that he is temporarily unemployed, but, if such period of unemployment extends beyond twelve months, he shall not continue to be an employed contributor unless the approved society of which he is a member or, if he is not a member of such a society, the

Insurance Committee, is satisfied that his unemployment is due to inability to obtain employment, and is not due to any change in his normal occupation;

The suspension of a member of an approved society from benefits under this Part of this Act shall not be deemed to deprive the member of his membership;

Membership of an approved society means membership for the purposes of this Part of this Act;

The expression "valuer" means a person possessing actuarial qualifications as may be approved by the Treasury;

The expression "county" means administrative county;

The Scilly Isles shall be deemed to be a county and the council of those Isles the council of a county, but the Insurance Committee for the Scilly Isles shall be constituted in such manner as the Insurance Commissioners prescribe;

Monmouthshire shall be deemed to form part of Wales;

A person shall be deemed according to the law in England, Wales, and Ireland, as well as according to the law in Scotland, not to have attained the age of seventeen until the commencement of the seventeenth anniversary of the day of his birth, and similarly with respect to other ages.

80. This Part of this Act in its application to Scotland shall be subject to the following modifications:— Application to Scotland.

(1) For the purpose of carrying this Part of this Act into effect in Scotland, there shall be constituted, as soon as may be after the passing of this Act, Commissioners for Scotland (to be called the Scottish Insurance Commissioners) with a central office in Edinburgh, and with such branch offices in Scotland as the Treasury may think fit, and the Scottish Insurance Commissioners, of whom one at least shall be a duly qualified medical practitioner, shall be appointed by the Treasury, and may appoint such officers, inspectors, referees, and servants for the purposes aforesaid as the Scottish Insurance Commissioners, subject to the approval of the Treasury, may determine, and the provisions of this Part of this Act with respect to the payment of the salaries and remuneration of the Insurance Commissioners, and the officers, inspectors, referees, and servants appointed by them, and with respect to the payment of the expenses incurred by the Treasury or the Insurance Commissioners in carrying this Part of this Act into effect shall, with the necessary modifications, apply to the payment of the salaries and remuneration of the Scottish Insurance Commissioners and the officers, inspectors, referees, and servants appointed by them and to the payment of expenses incurred by the Treasury or the Scottish Insurance Commissioners in carrying this

Part of this Act into effect in Scotland, and for the purpose aforesaid the Scottish Insurance Commissioners, and the officers, inspectors, referees, and servants appointed by them shall respectively have all the like powers and duties as are, by the provisions of this Act, conferred and imposed on the Insurance Commissioners and the officers, inspectors, referees, and servants appointed by them, and references in those provisions to the Insurance Commissioners shall be construed as references to the Scottish Insurance Commissioners:

(2) All sums received from contributions under this Part of this Act in respect of insured persons resident in Scotland, and all sums paid out of moneys provided by Parliament in respect of benefits under this Part of this Act to such persons, and the expenses of administration of such benefits shall be paid into a fund to be called the Scottish National Health Insurance Fund, under the control and management of the Scottish Insurance Commissioners, and the sums required to meet expenditure properly incurred by approved societies and Insurance Committees for the purposes of such benefits and the administration of such benefits shall be paid out of that fund, and the foregoing provisions of this Act, with respect to the National Health Insurance Fund, shall, with the necessary modifications, apply to the Scottish National Health Insurance Fund accordingly:

(3) The expression "Local Government Board" means the Local Government Board for Scotland (in this section referred to as the Board): Provided that, as regards the making of regulations respecting sums payable out of the Local Taxation (Scotland) Account, the said expression means the Secretary for Scotland; the expression "Local Taxation Account" means the Local Taxation (Scotland) Account; and the expression "inspector of the Local Government Board" includes a person acting under section seven or section eight of the Public Health (Scotland) Act, 1897: 60 & 61 Vict. c. 38

(4) The expression "county borough" means a burgh or police burgh within the meaning of the Local Government (Scotland) Act, 1889 (in this section referred to as the Act of 1889), containing within the police boundaries thereof according to the census of nineteen hundred and eleven a population of twenty thousand or upwards, and includes the burgh of Dumfries and the police burgh of Maxwelltown, as if they were a single burgh, and all other burghs and police burghs shall, for the purposes of this Part of this Act, be held to be within the county, and unless already represented on the county council shall, for 52 & 53 Vict. c. 50.

the purposes of this Part of this Act, be represented thereon as may be determined by the Secretary for Scotland: Provided that references to the council of a county borough shall, in the case of Dumfries and Maxwelltown, be construed as references to a joint committee of the town councils thereof which shall from time to time be appointed subject to the provisions of section seventy-six of the Act of 1889:

(5) References to a county and the county council thereof shall, as regards—

(*a*) the counties of Kinross and Clackmannan; and

(*b*) the counties of Elgin and Nairn;

be construed in each case as references respectively to a combination of the two recited counties and to a joint committee of the county councils thereof which shall from time to time be appointed subject to the provisions of section seventy-six of the Act of 1889:

(6) The minimum number of an insurance committee for any area containing a population of less than forty thousand shall be twenty-five instead of forty; and, where a number less than forty is fixed, the constitution of the committee may be varied as may be prescribed, so, however, that the proportion of members to be appointed by insured persons and by a county or town council and the number of members possessing a medical qualification shall not be altered:

(7) No person, except a medical practitioner qualified as such, shall be qualified for appointment as member of an Insurance Committee by a county or town council unless he is a member of a local authority within the county under the Public Health (Scotland) Act, 1897, or of the town council, as the case may be; but this requirement shall not apply to women if women so qualified are not available:

(8) Before submitting for approval a scheme prescribing areas to be assigned to district committees, the Insurance Committee of a county shall consult with the county council, or any committee thereof appointed for the purpose, and shall consider any representation received from them:

(9) Where, owing to sparseness of population, difficulties of communication, or other special circumstances, they consider it desirable, an Insurance Committee shall have power, with the consent of the Scottish Insurance Commissioners, to modify or suspend any benefits for the administration of which they are responsible; but, where such modification or suspension takes place, provision shall be made by the Committee, with the like consent, for the increase of

other benefits or the grant of one or more additional benefits to an amount equivalent to the value of the modification or suspension :

(10)—(*a*) If it appears to any county council that, having regard to the number of employed contributors resident in the county who are not members of any society approved under the foregoing provisions of this Act, it is desirable that steps should be taken for the establishment under the council of an approved society for the county (in this section referred to as a county society) the council may, at any time before the expiration of one year from the commencement of this Act, submit to the Scottish Insurance Commissioners a scheme for the establishment of a county society ;

(*b*) The scheme may provide for—

(i) the representation of the council on the committee of management of the society ;

(ii) the appointment of officers subject to the approval of the council ;

(iii) the delegation of powers to committees ;

(iv) the giving of security by means of a charge upon the general purposes rate or otherwise ;

(v) the restriction of membership to insured persons resident in the county not being members of any other approved society ;

(vi) the reduction of benefits below the minimum rates fixed by this Part of this Act ; and

(vii) such other matters as may appear necessary, and in particular such further modifications of the provisions of this Part of this Act with respect to approved societies as may be required for the purpose of adapting those provisions to the case of a county society ;

(*c*) Where such a scheme has been approved by the Scottish Insurance Commissioners, the provisions of the scheme shall have effect, notwithstanding anything to the contrary in this Part of this Act ; and, subject to those provisions, the county society shall be an approved society for all the purposes of this Part of this Act ;

(*d*) A county council desirous of submitting a scheme under this section may, at any time after the passing of this Act, take such steps as appear necessary with a view to ascertaining what insured persons resident in the county are eligible and willing to become members of the proposed county society, and generally for the formation of the society ;

(11) A person appointed in terms of the section of this Act relating to excessive sickness to hold an inquiry shall report to the authority appointing him, and any

further action following on such inquiry which, in accordance with the provisions of that section, is to be or may be taken by the person making the inquiry, shall not be taken by him, but may be taken by that authority after consideration of the report, and that section shall be read and construed accordingly:

(12) Expenses incurred by a county council under this Part of this Act shall be defrayed out of the general purposes rate; provided that, notwithstanding anything contained in the Act of 1889, the ratepayers of a police burgh shall not be assessed by the county council for any such expenses unless the police burgh is, for the purposes of this Part of this Act, held to be within the county; and provided further that, with respect to every burgh within the meaning of the Act of 1889, which is, for the purposes of this Act, held to be within the county, subsection (3) and subsection (4) of section sixty, and section sixty-six, of the Act of 1889, shall, so far as applicable, have effect as if such expenses were expenditure therein mentioned:

(13) Expenses incurred by a town council under this Part of this Act (whether under requisition from the county council or otherwise) shall be defrayed out of the public health general assessment, but shall not be reckoned in any calculation as to the statutory limit of that assessment; and references to the borough fund or borough rate shall be construed accordingly:

(14) The expression "borough" and the expression "urban district" mean a burgh or police burgh within the meaning of the Act of 1889, and the expressions "rural district" and "council of a rural district," unless inconsistent with the context, mean respectively a district of a county within the meaning of the said Act and the district committee thereof: Provided that the population limit prescribed for boroughs and urban districts in the subsection of this Act relating to the appointment of district committees for these areas shall not apply:

(15) The expression "Lord Chief Justice" means the Lord President of the Court of Session:

(16) The expression "county court" means the sheriff court; and, in lieu of an appeal from the county court upon any question of law, there shall be substituted an appeal from the sheriff upon any question of law in terms of subsection (17) (*b*) of the Second Schedule to the Workmen's Compensation Act, 1906: Provided that the decision of either division of the Court of Session on such appeal shall be final:

(17) The expression "workhouse" means poorhouse; "coverture" means marriage; "levy any distress or execution" means use any diligence; "ejectment" means removing; "amount of judgment debt" means amount decerned for; "registrar of the county court" means court exercising jurisdiction in the proceedings; "certified midwife" means any midwife possessing such qualifications as may be prescribed; "public elementary school" means public school; "Public Health Acts" means the Public Health (Scotland) Acts, 1897 and 1907; "Local Loans Act, 1875" means the Local Authorities Loans (Scotland) Acts, 1891 and 1893; and "High Court" means Court of Session:

54 & 55 Vict. c. 34.
56 & 57 Vict. c. 8.

(18) Unless inconsistent with the context, references to the Elementary School Teachers' Superannuation Act, 1898, to the deferred annuity fund under that Act, and to the Board of Education, shall be construed, respectively, as references to section fourteen of the Education (Scotland) Act, 1908, and a scheme thereunder, to the Scottish Teachers' Superannuation Fund, and to the Scotch Education Department.

8 Edw. 7. c. 63.

Application to Ireland.

81. This Part of this Act, in its application to Ireland, shall be subject to the following modifications:—

(1) For the purpose of carrying this Part of this Act into effect in Ireland, there shall be constituted, as soon as may be after the passing of this Act, Commissioners for Ireland (to be called the Irish Insurance Commissioners), with a central office in Dublin, and with such branch offices in Ireland as the Treasury may think fit, and the Irish Insurance Commissioners, of whom one at least shall be a duly qualified medical practitioner, shall be appointed by the Treasury, and may appoint such officers, inspectors, referees, and servants for the purposes aforesaid as the Irish Insurance Commissioners, subject to the approval of the Treasury, may determine, and the provisions of this Part of this Act with respect to the payment of the salaries and remuneration of the Insurance Commissioners and the officers, inspectors, referees, and servants appointed by them, and with respect to the payment of the expenses incurred by the Treasury or the Insurance Commissioners in carrying this Part of this Act into effect shall, with the necessary modifications, apply to the payment of the salaries and remuneration of the Irish Insurance Commissioners and the officers, inspectors, referees, and servants appointed by them and to the payment of expenses incurred by the Treasury or the Irish Insurance Commissioners in carrying this Part of this Act into effect in Ireland, and for the purpose aforesaid the Irish Insurance Commissioners and the

officers, inspectors, referees, and servants appointed by them shall repectively have all the like powers and duties as are by the provisions of this Act conferred and imposed on the Insurance Commissioners and the officers, inspectors, referees, and servants appointed by them, and references in those provisions to the Insurance Commissioners shall be construed as references to the Irish Insurance Commissioners:

(2) All sums received from contributions under this Part of this Act in respect of insured persons resident in Ireland and all sums paid out of moneys provided by Parliament in respect of benefits under this Part of this Act to such persons and the expenses of administration of such benefits shall be paid into a fund to be called the Irish National Health Insurance Fund, under the control and management of the Irish Insurance Commissioners, and the sums required to meet expenditure properly incurred by approved societies and Insurance Committees for the purposes of such benefits and the administration of such benefits shall be paid out of that fund and the foregoing provisions of this Act with respect to the National Health Insurance Fund shall, with the necessary modifications, apply to the Irish National Health Insurance Fund accordingly:

(3) The provisions of this Part of this Act conferring a right to exemption shall extend to any person employed in harvesting or other agricultural work who proves—

(*a*) that he is an Irish migratory labourer, that is to say, a person who, having a permanent home at some place in Ireland, has temporarily removed to some other place in Ireland or to Great Britain for the purpose of obtaining such employment; and

(*b*) that he ordinarily resides at such permanent home for not less than twenty-six weeks in the year and is not employed within the meaning of this Part of this Act whilst so resident;

and any contributions paid in Great Britain by the employer of a person holding a certificate of exemption by virtue of this provision shall be transferred to the Irish Insurance Commissioners for the purpose of being carried to such account and being dealt with in such manner as may be prescribed by the regulations made in that behalf by the Irish Insurance Commissioners:

(4) Employment in Ireland as an outworker, where the wages or other remuneration derived from the employment are not the principal means of livelihood

of the person employed, shall be deemed to be included amongst the excepted employments specified in Part II. of the First Schedule to this Act:

(5) The reference to the Lord Chancellor shall be construed as a reference to the Lord Chancellor of Ireland;

The reference to the Lord Chief Justice shall be construed as a reference to the Lord Chief Justice of Ireland;

The reference to the Local Government Board, as regards the making of regulations with respect to payments out of the Local Taxation Account, shall be construed as a reference to the Lord Lieutenant, and other references to the Local Government Board shall be construed as references to the Local Government Board for Ireland, and the reference to the Local Taxation Account shall be construed as a reference to the Local Taxation (Ireland) Account:

(6) A reference to the Housing of the Working Classes (Ireland) Acts, 1890 to 1908, shall be substituted for the reference to the Housing of the Working Classes Acts, 1890 to 1909, a reference to the Public Health (Ireland) Acts, 1878 to 1907, shall be substituted for the reference to the Public Health Acts and a reference to the rate or fund applicable to the purposes of the Public Health (Ireland) Acts, 1878 to 1907, shall be substituted for any reference to the borough rate or borough fund:

(7)—(*a*) If it appears to any county council that, having regard to the number of employed contributors resident in the county who are not members of any society approved under the foregoing provisions of this Act it is desirable that steps should be taken by the council for the establishment of an approved society for the county under the council (in this section referred to as a county society), the council may, at any time before the expiration of one year from the commencement of this Act, submit to the Irish Insurance Commissioners a scheme for the establishment of a county society;

(*b*) The scheme may provide for—

(i) the representation of the council on the committee of management of the society;

(ii) the appointment of officers subject to the approval of the council;

(iii) the delegation of powers to committees;

(iv) the giving of security by means of a charge upon the county fund or otherwise;

(v) the restriction of membership to insured persons resident in the county not being members of any other approved society;

(vi) the reduction of benefits below the minimum rates fixed by this Part of this Act; and

(vii) such other matters as may appear necessary, and in particular such further modifications of the provisions of this Part of this Act with respect to approved societies as may be required for the purpose of adapting those provisions to the case of a county society;

(*c*) Where such a scheme has been approved by the Irish Insurance Commissioners, the provisions of the scheme shall have effect, notwithstanding anything to the contrary in this Part of this Act; and, subject to those provisions, the county society shall be an approved society for all the purposes of this Part of this Act;

(*d*) A county council desirous of submitting a scheme under this section may, at any time after the passing of this Act, take such steps as appear necessary with a view to ascertaining what insured persons resident in the county are eligible and willing to become members of the proposed county society, and generally for the formation of the society:

(8) The provisions with respect to the appointment of Insurance Committees shall have effect, subject to the following modifications, namely:—

The number of members of an Insurance Committee shall be twenty-four, and of that number—

(*a*) twelve shall be appointed in such manner as may be prescribed by regulations of the Irish Insurance Commissioners so as to secure representation of the insured persons resident in the county or county borough who are members of approved societies, and who are deposit contributors, in proportion, as nearly as may be, to their respective numbers, and the regulations so made shall provide for conferring on the approved societies which have members resident in the county or county borough the power of appointing representatives of such members, and, where an association of deposit contributors resident in the county or county borough has been formed under such regulations as aforesaid, for conferring on such association the power of appointing the representatives of the deposit contributors;

(*b*) eight (of whom at least one shall be a member of a local sanitary authority and at least two shall be women) shall be appointed by the council of the county or county borough; and

(c) four (of whom at least two shall be duly qualified medical practitioners) shall be appointed by the Irish Insurance Commissioners:

Provided that the Irish Insurance Commissioners may, where any part of the cost of sanatorium benefit is defrayed by the council of the county or county borough, increase the representation of the council and make a corresponding diminution in the representation of the insured persons:

(9) An insured person in Ireland shall not be entitled to medical benefit under this Part of this Act, and the provisions with respect to medical benefit shall not apply:

Provided that medical benefit for an insured person being a member of an approved society shall be deemed to be included amongst the additional benefits specified in Part II. of the Fourth Schedule to this Act, and that such medical benefit when provided shall be administered by the Insurance Committee in accordance with the provisions of this Part of this Act, unless the Irish Insurance Commissioners otherwise direct:

(10) As respects employed contributors in Ireland, the employed rate shall be the rate specified in Part II. of the Second Schedule to this Act, and the contributions by the contributors and contributions by the employers shall be at the rates specified in Part II. instead of the rates specified in Part I. of that schedule, and there shall be credited to the society of which any employed contributor in Ireland is a member or, if he is a deposit contributor, to his account in the Post Office fund, the difference between the amount of contributions actually paid by or in respect of him at the rate specified in Part II. of the Second Schedule to this Act and the amount which would have been paid if those contributions had been at the rate specified in Part I. of that schedule, and the amount of that difference shall be treated as having been expended on benefits and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament:

(11) The foregoing provisions of this section as to the crediting of differences shall apply in the case of voluntary contributors resident in Ireland, with the modification that, where the voluntary rate is not the same as the employed rate, the difference to be credited shall be the difference between the amount of contributions actually paid at the voluntary rate and the amount which would have been paid if the contributor had been a voluntary contributor resident in Great Britain:

Provided that, in the case of a married woman resident in Ireland becoming a voluntary contributor at reduced rates of benefit under the special provisions with respect to married women, the rate of contributions payable by her shall be one penny halfpenny a week instead of three pence a week, and the difference to be credited shall be one penny halfpenny a week accordingly:

(12) In ascertaining the voluntary rate applicable to voluntary contributors in Ireland in cases where that rate is not the same as the employed rate, regard shall be had both to the provisions of this section as to the crediting of differences and to the proportion of benefits to be paid out of the contributions payable by or in respect of such contributors:

(13) Rules of an approved society or Insurance Committee under this Part of this Act may provide for the inspection of medical relief registers by officers of the society or Committee at all reasonable times, and for the furnishing to the society or Committee of such medical certificates as may be necessary for the purposes of the administration of the benefits administered by the society or Committee, and for the payment by the society or Committee to duly qualified medical practitioners of such remuneration in respect of the furnishing of those certificates as the Irish Insurance Commissioners may sanction, and all payments so made by the society or Committee shall be treated as expenses of administering the benefits aforesaid:

(14) If a grant is made to a county council or county borough council out of any sum made available under any other Act of the present session for the purposes of the provision of or making grants in aid to sanatoria and other institutions for the treatment of tuberculosis or such other diseases as the Local Government Board may, with the approval of the Treasury, appoint, the council may, subject to the sanction of the Local Government Board, exercise for all or any of those purposes the powers given to them by Part II. of the Tuberculosis Prevention (Ireland) Act, 1908, in like manner as if those purposes were purposes authorised by that Part of that Act, and any expenses of the council so far as not defrayed out of the grant shall be defrayed in manner provided by that Part of that Act: 8 Edw. 7. c. 56.

(15) For the purposes of proceedings in Ireland under the provisions of this Part of this Act relative to disputes, regulations of the Irish Insurance Commissioners may

19 & 20 Vict. c. 102.

apply all or any of the provisions of the Common Law Procedure (Ireland) Act, 1856, with respect to arbitration:

(16) The special provisions with respect to the reduction of contributions in cases where the employer is liable to pay wages during sickness shall have effect, subject to the modification that, where the rate of contributions payable by the employed contributor is one halfpenny a week, the weekly contributions payable by the employer shall be reduced by one penny halfpenny (or, if the employed contributor is a woman, one penny), and the weekly contributions payable by the employed contributor shall be reduced by one halfpenny:

42 & 43 Vict. c. 74.

(17) In the special provisions as to persons becoming certificated teachers, references to the Board of Education, to the Elementary School Teachers (Superannuation) Act, 1898, and to a public elementary school shall respectively be construed as references to the Superintendent of the Teachers' Pension Office, to the National School Teachers' (Ireland) Act, 1879, and to a national school, and any sums paid to the Superintendent of the Teachers' Pension Office in pursuance of those provisions shall be carried to the Pension Fund established under the last-mentioned Act and shall be dealt with in accordance with rules under that Act:

(18) As respects insured persons in Ireland, "six-elevenths" shall be substituted for "four-sevenths" and (in the case of women) "four-ninths" shall be substituted for "one-half":

6 & 7 Will. 4. c. 13.

(19) For the reference to the registrar of the county court, there shall be substituted a reference to a magistrate appointed under the Constabulary (Ireland) Act, 1836:

(20) For references to a duly certified midwife, there shall be substituted references to a midwife having such qualifications as may be prescribed.

Establishment of Commissioners for Wales.

82.—(1) For the purpose of carrying this Part of this Act into effect in Wales, there shall be constituted, as soon as may be after the passing of this Act, Commissioners for Wales (to be called the Welsh Insurance Commissioners) with a central office in such town in Wales as the Treasury may determine, and with such branch offices in Wales as the Treasury may think fit, and the Welsh Insurance Commissioners, of whom one at least shall be a duly qualified medical practitioner, shall be appointed by the Treasury, and may appoint such officers, inspectors, referees, and servants for the purposes aforesaid as the Welsh Insurance Commissioners, subject to the approval of the Treasury, may determine, and the provisions of this Part of this Act with respect to the payment of the salaries and remuneration of the Insurance Commissioners, and the officers, inspectors, referees, and servants appointed by them, and with respect to the payment of the expenses incurred by the Treasury or the Insúrance Commissioners in carrying this Part of this Act into effect shall, with the necessary modifications, apply to the payment of the salaries and remuneration of the Welsh Insurance Commissioners and the officers, inspectors, referees, and servants appointed by them, and to the payment of expenses incurred by the Treasury or the Welsh Insurance Commissioners in carrying this Part of this Act into effect in Wales, and for the purpose aforesaid the Welsh Insurance Commissioners and the officers, inspectors, referees, and servants appointed by them shall respectively have all the like powers and duties as are by the provisions of this Act conferred and imposed on the Insurance Commissioners and the officers, inspectors, referees, and servants appointed by them, and references in those provisions to the Insurance Commissioners shall be construed as references to the Welsh Insurance Commissioners.

(2) All sums received from contributions under this Part of this Act in respect of insured persons resident in Wales, and all sums paid out of moneys provided by Parliament in respect of benefits under this Part of this Act to such persons, and the expenses of administration of such benefits shall be paid into a fund to be called the Welsh National Health Insurance Fund, under the control and management of the Welsh Insurance Commissioners, and the sums required to meet expenditure properly incurred by approved societies and Insurance Committees for the purposes of such benefits and the administration of such benefits shall be paid out of that fund, and the foregoing provisions of this Act, with respect to the National Health Insurance Fund, shall, with the necessary modifications, apply to the Welsh National Health Insurance Fund accordingly.

(3) The powers of the Local Government Board with respect to the distribution of any sum available for the purpose of the provision of or making grants in aid to sanatoria and other institutions shall, as respects the part thereof apportioned to Wales, be exercised by the Welsh Insurance Commissioners.

(4) If before or within twelve months after the commencement of this Act there is established for Wales by royal charter an association for the purpose of providing sanatoria and other institutions for the treatment and prevention of tuberculosis or such other diseases as the Local Government Board, with the approval of the Treasury, may appoint, the Welsh Insurance Commissioners in making and the Treasury in approving grants from any such sum as is in the last preceding subsection mentioned shall have regard to the provision of such institutions which may have been made, or may be proposed to be made, by the association.

Joint committee of Commissioners.

83.—(1) There shall be constituted as soon as may be after the passing of this Act, in accordance with regulations to be made by the Treasury, a joint committee of the several bodies of Commissioners appointed for the purposes of this Part of this Act, consisting of such members of each such body selected in such manner as may be provided by the regulations and of a chairman and other members (not exceeding two in number) to be appointed by the Treasury, and the chairman shall not by reason of his office be incapable of being elected to or voting in the Commons House of Parliament.

(2) The joint committee may make such financial adjustments as may be necessary between the several funds under the control and management of the several bodies of Commissioners, and shall exercise and perform such powers and duties of the several bodies of Commissioners under this Part of this Act, either alone or jointly with any of those bodies, as may be provided by such regulations.

(3) Amongst the powers so exerciseable by the joint committee shall be included a power of making regulations as to the valuation of societies and branches which have amongst their members persons resident in England, Scotland, Ireland, and Wales, or any two or any three of such parts of the United Kingdom, and the regulations so made shall require that, for the purposes of the provisions of this Part of this Act relating to valuations, surpluses, deficiencies and transfers, the members resident in each such part shall be treated as if they formed a separate society.

(4) Regulations made by the Treasury under this section shall be laid before Parliament as soon as may be after they are made, but, if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such regulation is laid before it, praying that the regulation may be annulled, His Majesty in Council may annul the regulation and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

PART II.

UNEMPLOYMENT INSURANCE.

Right of workmen in insured trades to unemployment benefit.

84. Every workman who, having been employed in a trade mentioned in the Sixth Schedule to this Act (in this Act referred to as "an insured trade"), is unemployed, and in whose case the conditions laid down by this Part of this Act (in this Act referred to as "statutory conditions") are fulfilled, shall be entitled, subject to the provisions of this Part of this Act, to receive payments (in this Act referred to as "unemployment benefit") at weekly or other prescribed intervals at such rates and for such periods as are authorised by or under the Seventh Schedule to this Act, so long as those conditions continue to be fulfilled, and so long as he is not disqualified under this Act for the receipt of unemployment benefit:

Provided that unemployment benefit shall not be paid in respect of any period of unemployment which occurs during the six months following the commencement of this Act.

Contributions by workmen, employers, and the Treasury.

85.—(1) The sums required for the payment of unemployment benefit under this Act shall be derived partly from contributions by workmen in the insured trades and partly from contributions by employers of such workmen and partly from moneys provided by Parliament.

(2) Subject to the provisions of this Part of this Act, every workman employed within the United Kingdom in an insured trade, and every employer of any such workman, shall be liable to pay contributions at the rates specified in the Eighth Schedule to this Act.

(3) Except where the regulations under this Part of this Act otherwise prescribe, the employer shall, in the first instance, be liable to pay both the contribution payable by himself, and also on behalf of and to the exclusion of the workman, the contribution payable by such workman, and subject to such regulations, shall be entitled, notwithstanding the provisions of any Act or any contract to the contrary, to recover from the workman by deductions from the workman's wages or from any other payment due from him to the workman the amount of the contributions so paid by him on behalf of the workman.

(4) Notwithstanding any contract to the contrary, the employer shall not be entitled to deduct from the wages of or other payment due to the workman, or otherwise recover from the workman by any legal process the contributions payable by the employer himself.

(5) Subject to the provisions of this Part of this Act, the Board of Trade may make regulations providing for any matters incidental to the payment and collection of contributions payable under this Part of this Act, and in particular for—

(*a*) payment of contributions by means of adhesive or other stamps affixed to or impressed upon books or cards, or otherwise, and for regulating the manner, times and conditions in, at and under which such stamps are to be affixed and impressed or payments are otherwise to be made;

(*b*) the issue, sale, custody, production, and delivery up of books or cards and the replacement of books or cards which have been lost destroyed or defaced.

(6) A contribution shall be made in each year out of moneys provided by Parliament equal to one-third of the total contributions received from employers and workmen during that year, and the sums to be contributed in any year shall be paid in such manner and at such times as the Treasury may determine.

Statutory conditions for receipt of unemployment benefit.

86. The statutory conditions for the receipt of unemployment benefit by any workman are—

(1) that he proves that he has been employed as a workman in an insured trade in each of not less than twenty-six separate calendar weeks in the preceding five years;

(2) that he has made application for unemployment benefit in the prescribed manner, and proves that since the date of the application he has been continuously unemployed;

(3) that he is capable of work but unable to obtain suitable employment;

(4) that he has not exhausted his right to unemployment benefit under this Part of this Act:

Provided that a workman shall not be deemed to have failed to fulfil the statutory conditions by reason only that he has declined—

(*a*) an offer of employment in a situation vacant in consequence of a stoppage of work due to a trade dispute; or

(*b*) an offer of employment in the district where he was last ordinarily employed at a rate of wage lower, or on conditions less favourable, than those which he habitually obtained in his usual employment in that district, or would have obtained had he continued to be so employed; or

(*c*) an offer of employment in any other district at a rate of wage lower or on conditions less favourable than those generally observed in such district by agreement between associations of employers and of workmen, or, failing any such agreement, than those generally recognised in such district by good employers.

Disqualifications for unemployment benefit.

87.—(1) A workman who has lost employment by reason of a stoppage of work which was due to a trade dispute at the factory, workshop, or other premises at which he was employed, shall be disqualified for receiving unemployment benefit so long as the stoppage of work continues, except in a case where he has, during the stoppage of work, become bonâ fide employed elsewhere in an insured trade.

Where separate branches of work which are commonly carried on as separate businesses in separate premises are in any case carried on in separate departments on the same premises, each of those departments shall, for the purposes of this provision, be deemed to be a separate factory or workshop or separate premises, as the case may be.

(2) A workman who loses employment through misconduct or who voluntarily leaves his employment without just cause shall be disqualified for receiving unemployment benefit for a period of six weeks from the date when he so lost employment.

(3) A workman shall be disqualified for receiving unemployment benefit whilst he is an inmate of any prison or any workhouse or other institution supported wholly or partly out of public funds, and whilst he is resident temporarily or permanently outside the United Kingdom.

(4) A workman shall be disqualified for receiving unemployment benefit while he is in receipt of any sickness or disablement benefit or disablement allowance under Part I. of this Act.

Determination of claims.

88.—(1) All claims for unemployment benefit under this Part of this Act, and all questions whether the statutory conditions are fulfilled in the case of any workman claiming such benefit, or whether those conditions continue to be fulfilled in the case of a workman in receipt of such benefit, or whether a workman is disqualified for receiving or continuing to receive such benefit, or otherwise arising in connection with such claims, shall be determined by one of the officers appointed under this Part of this Act for determining such claims for benefit (in this Act referred to as "insurance officers"):

Provided that—

(*a*) in any case where unemployment benefit is refused or is stopped, or where the amount of the benefit allowed is not in accordance with the claim, the workman may require the insurance officer to report the matter to a court of referees constituted in accordance with this Part of this Act, and the court of referees after considering the circumstances may make to the insurance officer such recommendations on the case as they may think proper, and the insurance officer shall, unless he disagrees, give effect to those recommendations. If the insurance officer disagrees with any such recommendation, he shall, if so requested by the court of referees, refer the recommendation, with his reasons for disagreement, to the umpire appointed under this Part of this Act, whose decision shall be final and conclusive;

(*b*) the insurance officer in any case in which he considers it expedient to do so may, instead of himself determining the claim or question, refer it to a court of referees, who shall in such case determine the question, and the decision of the court of referees shall be final and conclusive.

(2) Nothing in this section shall be construed as preventing an insurance officer or umpire, or a court of referees, on new facts being brought to his or their knowledge, revising a decision or recommendation given in any particular case, but, where any such revision is made, the revised decision or recommendation shall have effect as if it had been an original decision or recommendation, and the foregoing provisions of this section shall apply accordingly, without prejudice to the

retention of any benefit which may have been received under the decision or recommendation which has been revised.

52 & 53 Vict. c. 49.

(3) The Arbitration Act, 1889, shall not apply to proceedings under this section, except so far as it may be applied by regulations under this Part of this Act.

(4) For the purposes of proceedings under this section in Ireland, regulations may apply all or any of the provisions of the Common Law Procedure (Ireland) Act, 1856, with respect to arbitration.

19 & 20 Vict. c. 102.

Appointment of umpire, insurance officers, inspectors, &c.

89.—(1) For the purposes of this Part of this Act, an umpire may be appointed by His Majesty, and insurance officers shall be appointed by the Board of Trade (subject to the consent of the Treasury as to number) and the insurance officers shall be appointed to act for such areas as the Board direct.

(2) The Board of Trade may appoint such other officers, inspectors, and servants for the purposes of this Part of this Act as the Board may, with the sanction of the Treasury, determine, and there shall be paid out of moneys provided by Parliament to the umpire and insurance officers and to such other officers, inspectors, and servants, such salaries or remuneration as the Treasury may determine; and any expenses incurred by the Board of Trade in carrying this Part of this Act into effect to such amount as may be sanctioned by the Treasury shall be defrayed out of moneys provided by Parliament:

Provided that such sum as the Treasury may direct, not exceeding one-tenth of the receipts, other than advances by the Treasury, paid into the unemployment fund on income account shall, in accordance with regulations made by the Treasury, be applied as an appropriation in aid of money provided by Parliament for the purpose of such salaries, remuneration, and expenses.

Courts of referees.

90.—(1) A court of referees for the purposes of this Part of this Act shall consist of one or more members chosen to represent employers, with an equal number of members chosen to represent workmen, and a chairman appointed by the Board of Trade.

(2) Panels of persons chosen to represent employers and workmen respectively shall be constituted by the Board of Trade for such districts and such trades or groups of trades as the Board may think fit, and the members of a court of referees to be chosen to represent employers and workmen shall be selected from those panels in the prescribed manner.

(3) Subject as aforesaid, the constitution of courts of referees shall be determined by regulations made by the Board of Trade.

(4) The regulations of the Board of Trade may further provide for the reference to referees chosen from the panels constituted under this section, for consideration and advice, of questions bearing upon the administration of this Part of this

Act, and for the holding of meetings of referees for the purpose.

(5) The Board of Trade may pay such remuneration to the chairman and other members of a court of referees and such travelling and other allowances (including compensation for loss of time) to persons required to attend before any such court, and such other expenses in connection with any referees, as the Board, with the sanction of the Treasury determine, and any such payments shall be treated as expenses incurred by the Board of Trade in carrying this Part of this Act into effect.

Regulations.

91.—(1) The Board of Trade may make regulations for any of the purposes for which regulations may be made under this Part of this Act and the Schedules therein referred to, and for prescribing anything which under this Part of this Act or any such Schedules is to be prescribed, and—

(*a*) for permitting workmen who are employed under the same employer partly in an insured trade and partly not in an insured trade to be treated with the consent of the employer as if they were wholly employed in an insured trade; and

(*b*) for giving employers, and workmen, and the Board of Trade an opportunity of obtaining a decision by the umpire appointed under this Part of this Act on any question whether contributions under this Part of this Act are payable in respect of any workman or class of workmen, and for securing that a workman in whose case contributions have been paid in accordance with any such decision, shall, as respects any unemployment benefit payable in respect of those contributions, be treated as a workman employed in an insured trade, and for securing that employers and workmen shall be protected from proceedings and penalties in cases where, in accordance with any such decision, they have paid or refrained from paying contributions; and

(*c*) for prescribing the evidence to be required as to the fulfilment of the conditions and qualifications for receiving or continuing to receive unemployment benefit, and for that purpose requiring the attendance of workmen at such offices or places and at such times as may be required; and

(*d*) for prescribing the manner in which claims for unemployment benefit may be made and the procedure to be followed on the consideration and examination of claims and questions to be considered and determined by the insurance officers, courts of referees, and umpire, and the mode in which any question may be raised as to the continuance, in the case of a workman in receipt of unemployment benefit, of such benefit, and for making provision with respect to the appointment of a deputy umpire in the case of the unavoidable absence or incapacity of the umpire; and

(*e*) with respect to the payment of contributions and benefits during any period intervening between any application for the decision of any question or any claim for benefit, and the final determination of the question or claim; and

(*f*) for providing that, where any workmen are employed in or for the purposes of the business of any person, but are not actually employed by that person, that person may be treated for the purposes of this Part of this Act as their employer instead of their actual employer, and for allowing that person to deduct from any payments made by him to the actual employer any sums paid by him as contributions on behalf of the workmen, and for allowing the actual employer to recover the like sums from the workmen; and

generally for carrying this Part of this Act into effect, and any regulations so made shall have effect as if enacted in this Act.

Any regulations made under this section for giving an opportunity of obtaining a decision of the umpire may be brought into operation as soon as may be after the passing of this Act.

(2) The regulations may, with the concurrence of the Postmaster-General, provide for enabling claimants of unemployment benefit to make their claims for unemployment benefit under this Act through the Post Office, and for the payment of unemployment benefit through the Post Office.

(3) All regulations made under this section shall be laid before each House of Parliament as soon as may be after they are made, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent forty days on which that House has sat next after any such regulation is laid before it, praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of any new regulation.

Unemployment fund.

92.—(1) For the purposes of this Part of this Act, there shall be established under the control and management of the Board of Trade a fund called the unemployment fund, into which shall be paid all contributions payable under this Part of this Act by employers and workmen and out of moneys provided by Parliament, and out of which shall be paid all claims for unemployment benefit and any other payments which under this Part of this Act are payable out of the fund.

(2) The accounts of the unemployment fund shall be audited by the Comptroller and Auditor-General in such manner as the Treasury may direct.

(3) Any moneys forming part of the unemployment fund may from time to time be paid over to the National Debt Commissioners and by them invested in accordance with regulations made by the Treasury in any securities which are for the time being authorised by Parliament as investments for savings banks moneys.

(4) The National Debt Commissioners shall present to Parliament annually an account of the securities in which moneys forming part of the said fund are for the time being invested.

Treasury advances.

93.—(1) The Treasury may out of the Consolidated Fund or the growing produce thereof advance on the security of the unemployment fund any sums required for the purpose of discharging the liabilities of that fund under this Part of this Act: Provided that the total amount of advances outstanding at any time shall not exceed three million pounds.

(2) If, whilst any part of any such advance is outstanding, it appears to the Treasury that the unemployment fund is insolvent, the Board of Trade shall, if the Treasury so direct, by order, make such temporary modifications in any of the rates of contribution, or the rates or periods of unemployment benefit, and during such period, as the Board of Trade think fit, and as will on the whole, in the opinion of the Treasury, be sufficient to secure the solvency of the unemployment fund:

Provided that no order made under this subsection shall reduce the weekly rate of unemployment benefit below the sum of five shillings, or shall increase the rates of contribution from employers or workmen by more than one penny per workman per week, or increase those rates unequally as between employers and workmen, and no such order shall remain in force more than three months after all the advances and interest thereon have been repaid, or come into force until one month after it is made.

(3) An order under this section shall not be made so as to be in force at any time while any previous order made under this section is in force.

(4) On any such order being made, the Board of Trade shall cause the order, together with a special report as to the reasons for making the order, to be laid before Parliament.

(5) The Treasury may, for the purpose of providing for the issue of sums out of the Consolidated Fund under this section, or for the repayment to that fund of all or any part of the sums so issued, or for paying off any security issued under this section, so far as that payment is not otherwise provided for, borrow money by means of the issue of Exchequer bonds or Treasury bills, and all sums so borrowed shall be paid into the Exchequer.

(6) The principal of and interest on any Exchequer bonds issued under this section shall be charged on and payable out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

(7) Notwithstanding anything in any other Act, money in the hands of the National Debt Commissioners for the reduction of the National Debt shall not be applied to purchasing, reducing, or paying off any Exchequer bonds or Treasury bills issued under this section.

Refund of part of contributions paid by employer in the case of workmen continuously employed.

94.—(1) The Board of Trade shall, on the application of any employer made within one month after the termination of any calendar year, or other prescribed period of twelve months, refund to such employer out of the unemployment fund a sum equal to one-third of the contributions (exclusive of any contributions refunded to him under any other provisions of this Part of this Act) paid by him on his own behalf during that period in respect of any workman who has been continuously in his service through the period, and in respect of whom not less than forty-five contributions have been paid during the period.

(2) For the purpose of meeting any change in the period for which any refund of contributions is to be made under the foregoing provisions of this section, or for the purpose of making provision for any period which may elapse between the date on which contributions commence to be payable under this Part of this Act and the date on which the first period for the refund of contributions under the foregoing provisions of this section commences, the Board of Trade may, so far as necessary for the purpose, apply the provisions of this section to any period less than twelve months, subject to such proportionate reduction of the number of contributions required as they direct, and this section shall take effect as regards any such period of less than twelve months as so applied.

Repayment of part of contributions by workmen in certain cases.

95.—(1) If it is shown to the satisfaction of the Board of Trade by any workman or his personal representatives that the workman has paid contributions in accordance with the provisions of this Part of this Act in respect of five hundred weeks or upwards, and that the workman has reached the age of sixty, or before his death had reached the age of sixty, the workman or his representatives shall be entitled to be repaid the amount, if any, by which the total amount of such contributions have exceeded the total amount received by him out of the unemployment fund under this Act, together with compound interest at the rate of two and a half per cent. per annum calculated in the prescribed manner.

(2) A repayment to a workman under this section shall not affect his liability to pay contributions under this Part of this Act, and, if after any such repayment he becomes entitled to unemployment benefit, he shall be treated as having paid in respect of the period for which the repayment has been made

the full number of contributions which is most nearly equal to five-eighths of the number of contributions actually paid during that period.

Refund of contributions paid in respect of workmen working short time.

96.—(1) If any employer satisfies the Board of Trade that during any period of depression in his business workmen employed by him have been systematically working short time, and that during such period he has paid contributions under this Part of this Act on behalf of such workmen, as well as on his own behalf, without recovering such contributions from such workmen either by way of deductions from wages or otherwise, there shall be refunded to him out of the unemployment fund, in accordance with regulations made by the Board of Trade, the contributions so paid by him in respect of those workmen (including those paid on behalf of the workmen as well as those paid on his own behalf), for the period or such part thereof as in the circumstances may seem just:

Provided that, except in a case where the working of short time has been effected by stopping the work for some day in the week which has been usually recognised as a working day of at least four hours in the trade and district, no such refund shall be made in respect of any workmen for any week in which the hours of work have exceeded five-sixths of the number usually recognised as constituting a full week's work at that time in the trade and district.

(2) Any employer who desires to take advantage of this section may make an application to the Board of Trade with a view to obtaining their ruling as to the circumstances under which, and the means by which, he proposes to effect a reduction of working hours, and the Board of Trade may, if they think fit, on the necessary information being supplied, give their ruling as to whether the circumstances are such, and the proposed means of reducing working hours are such, as to satisfy the requirements of this section.

Saving for occasional employment in rural neighbourhoods.

97. Where a workman is employed in a district which is rural in its character, and the workman usually follows in that district some occupation other than an insured trade, and is employed in an insured trade occasionally only, contributions under this Part of this Act shall not be payable in respect of the workman, except in cases where the employer and the workman agree that contributions shall be payable notwithstanding this provision.

Payment of contributions in case of Reservists or Territorials during training.

98. Where a man of the Naval Reserves, the Army Reserve, or the Territorial Force, is being trained and is in receipt of pay out of the moneys provided by Parliament for Navy or Army services, and immediately before the training was employed in an insured trade, he shall, for the purposes of this Part of this Act, be deemed, whilst so training, to be in the employment of the Crown in an insured trade.

Provisions with respect to workmen engaged through labour exchanges.

99.—(1) The Board of Trade may, in such cases and on such conditions as the Board may prescribe, make an arrangement with any employer liable to pay contributions under any part of this Act, whereby, in respect of workmen engaged by him through a labour exchange, or in his employ at the date of such arrangement, the performance of all or any of the duties required under any part of this Act to be performed by the employer in respect of those workmen, whether on his own behalf or on behalf of the workmen, shall be undertaken on behalf of the employer by the labour exchange, and whereby in respect of such workmen different periods of employment, whether of the same workmen or different workmen, may, for the purposes of the employer's contributions under this Part of this Act, but not for the purposes of a refund of any part of the employer's contributions, be treated as a continuous employment of a single workman.

(2) Where any such arrangement has been made, all the periods of employment during which a workman engaged through a labour exchange is employed by one or more employers with whom such an arrangement has been made, may, subject to regulations made by the Board of Trade, on the application of the workman, be treated for the purposes of his contributions under this Part of this Act as a continuous period of employment under one employer, and those regulations may provide for the refund of part of his contributions under this Part of this Act accordingly.

Subsidiary provisions.

100.—(1) If the repeated failure of any insured workman to obtain or retain employment appears to the insurance officer to be wholly or partly due to defects in skill or knowledge, the insurance officer may, if he thinks fit, for the purpose of testing the skill or knowledge of the workman, offer to arrange for the attendance of the workman at a suitable place for the purpose, and may, out of the unemployment fund, pay all or any of the expenses incidental to such attendance.

If the workman fails or refuses either to avail himself of the offer, or to produce satisfactory evidence of his competence, or if as a result of the test the insurance officer considers that the skill or knowledge of the workman is defective, and that there is no reasonable prospect of such defects being remedied, such facts shall be taken into consideration in determining what is suitable employment for the workman.

If in any case as a result of the test the insurance officer considers that the skill or knowledge of the workman is defective, but that there is a reasonable prospect of the defects being remedied by technical instruction, the insurance officer may, subject to any directions given by the Board of Trade, pay out of the unemployment fund all or any of the expenses incidental to the provision of the instruction, if he is of opinion that the charge on the unemployment fund in respect of the workman is likely to be decreased by the provision of the instruction.

(2) The regulations of the Board of Trade made under this Part of this Act shall provide for the return to a workman who is not a workman in an insured trade and to his employer of any contributions paid by them respectively under the belief that the workman was a workman in an insured trade, subject, in the case of the workmen's contributions, to the deduction of any amount received by him in respect of unemployment benefit under a similar belief.

(3) Where under regulations made by the Board of Trade any sum has been paid out of the unemployment fund by way of reward for the return of a book or card which has been lost, the person responsible for the custody of the book or card at the time of its loss shall be liable to repay the sum so paid, not exceeding one shilling in respect of any one occasion.

Offences and proceedings for recovery of contributions, &c.

101.—(1) If for the purpose of obtaining any benefit or payment under this Part of this Act, either for himself or for any other person, or for the purpose of avoiding any payment to be made by himself under this Part of this Act, or enabling any other person to avoid any such payment, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding three months, with or without hard labour.

(2) If any employer or workman has failed to pay any contributions which he is liable under this Part of this Act to pay, or if any employer or workman or any other person refuses or neglects to comply with any of the requirements of this Part of this Act, or the regulations made thereunder, he shall, for each offence, be liable on summary conviction to a fine not exceeding ten pounds, and also, where the offence is failure or neglect to make any contribution under this Part of this Act, to pay to the unemployment fund a sum equal to three times the amount which he has refused or neglected to pay (not exceeding five pounds), which sum, when paid, shall be treated as a payment in satisfaction of the contributions which he has so refused or neglected to pay.

(3) Proceedings under the foregoing provisions of this section shall not be instituted except by, or with the consent of, the Board of Trade, and may be commenced at any time within three months of the date at which the offence comes to the knowledge of the Board of Trade.

(4) Nothing in this section shall be construed as preventing the Board of Trade from recovering any sums due to the unemployment fund by means of civil proceedings, and all such sums shall be recoverable in such proceedings as debts due to the Crown.

(5) If it is found at any time that a person has been in receipt of unemployment benefit under this Part of this Act whilst the statutory conditions were not fulfilled in his case, or whilst he was disqualified for receiving unemployment benefit, he shall be liable to repay to the unemployment fund any sums paid to him in respect of unemployment benefit whilst the

statutory conditions were not fulfilled, or whilst he was disqualified for receiving the benefit, and the amount of such sums may be recovered as a debt due to the Crown.

(6) In any proceedings under this section, or in any proceedings involving any question as to the payment of contributions under this Part of this Act, or for the recovery of any sums due to the unemployment fund, the decision of the umpire appointed under this Part of this Act on any question arising, whether the trade in which the workman is or has been employed is an insured trade or not shall be conclusive for the purpose of those proceedings, and, if no such decision has been obtained and the decision of the question is necessary for the determination of the proceedings, the question shall be referred, in accordance with the regulations made under this Part of this Act, to the umpire for the purpose of obtaining such a decision.

Periodical revision of rates of contribution.

102. If at any time after the expiration of seven years from the commencement of this Act it appears to the Board of Trade that the unemployment fund is insufficient or more than sufficient to discharge the liabilities imposed upon the fund under this Part of this Act, or that the rates of contribution are excessive or deficient as respects any particular insured trade, or any particular branch of any such trade, the Board may, with the sanction of the Treasury, by special order made in manner herein-after provided revise the rates of contribution of employers and workmen under this Part of this Act, and any such order may, if the Board think fit, prescribe different rates of contribution for different insured trades or branches thereof, and, where any such order is made, the rates prescribed by the order shall, as from such date as may be specified in the order, be substituted as respects trades or branches thereof to which it relates for the rates prescribed by this Act:

Provided that, where such a revision has been made, no further revision under this section shall be made before the expiration of seven years from the last revision, and that no order under this section shall increase the rates of contribution from employers or workmen by more than one penny per workman per week above the rates specified in the Eighth Schedule to this Act, or shall vary such rates unequally as between employers and workmen.

Power to extend to other trades.

103. If it appears to the Board that it is desirable to extend the provisions of this Part of this Act to workmen in any trade other than an insured trade, or to vary the definition of "workman" with respect to the age of the persons included therein, either generally or for any particular insured trade, or any particular branch of any such trade, the Board may, with the consent of the Treasury, make, in manner hereinafter provided, a special order extending this Part of this Act to such workmen or so varying the definition of "workman," as the case may be, either without modification or subject to such modifications of rates of contribution or rates or periods of benefit as may be contained in the order, and, on any such order being made, this Part of this Act shall, subject to the modifications (if any) contained in the order, apply as if the trade mentioned in the order were an insured trade, or as if the definition of "workman" were varied in accordance with the order, as the case may be, and as if the rates of contribution and the rates and periods of benefit mentioned in the order were the rates of contribution and the rates and periods of benefit provided by this Part of this Act in respect of such trade:

Provided that no such order shall be made if the person holding the inquiry in relation to the order reports that the order should not be made, or if the order would, in the opinion of the Treasury, increase the contribution to the unemployment fund out of moneys provided by Parliament to a sum exceeding one million pounds a year before the expiration of three years from the making of the order, and that the rates of contribution mentioned in the order shall not exceed the rates specified in the Eighth Schedule to this Act, and shall be imposed equally as between employers and workmen.

Exclusion of subsidiary occupations.

104. The Board of Trade may, if in any case they consider that it is desirable, by special order exclude from the occupations which are to be deemed employment in an insured trade for the purpose of this Part of the Act—

(*a*) Any occupation which appears to them to be common to insured and uninsured trades alike, and ancillary only to the purposes of an insured trade; and

(*b*) Any occupation which appears to them to be an occupation in a business which, though concerned with the making of parts or the preparation of materials for use in connection with an insured trade, is mainly carried on as a separate business or in connection with trades other than insured trades;

and, on any such order being made, the occupation to which the order relates shall not be treated as employment in an insured trade for the purposes of this Part of this Act.

Any special order made under this section may be made so as to cover one or more occupations. The provisions of this Part of this Act as to the laying of regulations before Parliament and the presentation of an Address thereon shall apply to special orders made under this section.

Arrangements with associations of workmen in insured trade who make payments to members whilst unemployed.

105.—(1) The Board of Trade may, on the application of any association of workmen the rules of which provide for payments to its members, being workmen in an insured trade, or any class thereof, whilst unemployed, make an arrangement with such association that, in lieu of paying unemployment benefit under this Part of this Act to workmen who prove that they are members of the association, there shall be repaid periodically to the association out of the unemployment fund such sum as appears to be, as nearly as may be, equivalent to the aggregate amount which such workmen would have received during that period by way of unemployment benefit under this Part of this Act if no such arrangement had been made, but in no case exceeding three-fourths of the amount of the payments made during that period by the association to such workmen as aforesaid whilst unemployed.

(2) The council or other governing body of any association of workmen which has made such an arrangement as aforesaid shall be entitled to treat the contributions due from any of its members to the unemployment fund under this Part of this Act, or any part thereof, as if such contributions formed part of the subscriptions payable by those members to the association, and, notwithstanding anything in the rules of the association to the contrary, may reduce the rates of subscription of those members accordingly.

(3) For the purpose of determining whether a workman has exhausted his right to unemployment benefit under this Part of this Act, the amount of any sum which, but for this section, would have been paid to him by way of unemployment benefit shall be deemed to have been so paid.

(4) The Board of Trade may make regulations for giving effect to this section, and for referring to the umpire appointed under this Part of this Act any question which may arise under this section.

(5) The fact that persons other than workmen can be members of an association shall not prevent the association being treated as an association of workmen for the purposes of this section, if the association is substantially an association of workmen.

Repayments to associations who make payments to persons whether workmen in insured trade or not, whilst unemployed.

106.—(1) The Board of Trade may, with the consent of the Treasury, and on such conditions and either annually or at such other intervals as the Board may prescribe, repay out of moneys provided by Parliament to any association of persons not trading for profit the rules of which provide for payments to persons whilst unemployed, whether workmen in an insured trade or not, such part (in no case exceeding one-sixth) as they think fit, of the aggregate amount which the association has expended on such payments during the preceding year or other prescribed period, exclusive of the sum (if any) repaid to the association in respect of such period in pursuance of an arrangement under the last foregoing section, and exclusive, in the case of payments which exceed twelve shillings a week, of so much of those payments as exceeds that sum.

(2) No repayment shall be made under this section in respect of any period before the expiration of six months from the commencement of this Act.

(3) The Board of Trade may make regulations for giving effect to this section, and for determining the mode in which questions arising under this section shall be settled.

Interpretation and application.

107.—(1) For the purposes of this Part of this Act—

The expression "workman" means any person of the age of sixteen or upwards employed wholly or mainly by way of manual labour, who has entered into or works under a contract of service with an employer, whether the contract is expressed or implied, is oral or in writing, and in relation to a person whilst unemployed means a person who, when employed, fulfilled the conditions aforesaid, but does not include an indentured apprentice;

Contributions made by an employer on behalf of a workman shall be deemed to be contributions by the workman;

Two periods of unemployment of not less than two days each, separated by a period of not more than two days, during which the workman has not been employed for more than twenty-four hours or two periods of unemployment of not less than one week each, separated by an interval of not more than six weeks, shall be treated as a continuous period of unemployment, and the expression "continuously unemployed" shall have a corresponding meaning;

Temporary work provided by a central body or distress committee under the Unemployed Workmen Act, 1905, or towards the provision of which any such central body or distress committee has contributed under that Act, shall not be deemed to be employment in an insured trade;

5 Edw. 7. c. 18.

A workman shall not be deemed to be unemployed whilst he is following any remunerative occupation in an insured trade, or whilst he is following any other occupation from which he derives any remuneration or profit greater than that which he would derive from the receipt of unemployment benefit under this Part of this Act;

A workman shall not, for the purposes of contributions, be deemed to be employed in any period in respect of which he receives no remuneration from his employer, notwithstanding that he continues during such period in his employment;

The expression "trade dispute" means any dispute between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment, or the terms of employment, or with the conditions of labour, of any persons, whether workmen in the employment of the employer with whom the dispute arises or not.

(2) In determining any question as to whether any trade in which a workman is or has been employed is an insured trade or not, regard shall be had to the nature of the work in which

the workman is engaged rather than to the business of the employer by whom he is employed.

(3) This Part of this Act shall apply to workmen employed by or under the Crown to whom this Act would apply if the employer were a private person, except to such of those workmen as are serving in an established capacity in the permanent service of the Crown, subject, however, to such modifications as may be made therein by Order in Council for the purpose of adapting the provisions of this Part of this Act to the case of such workmen.

(4) If the Board of Trade are satisfied that any class of workmen are, having regard to their claim to pension or to the other terms of their service, in as permanent a position as that of persons serving in an established capacity in the permanent service of the Crown, the Board of Trade may exempt that class of persons from the provisions of this Part of this Act, and any persons so exempt shall not be deemed to be workmen.

PART III.

GENERAL.

Provisions as to stamps

108. Stamps required for the purposes of this Act shall be prepared and issued in such manner as the Commissioners of Inland Revenue, with the consent of the Treasury, may direct, and the said Commissioners may, by regulations in accordance with the provisions of Part I. of this Act relating to regulations by the Insurance Commissioners, provide for applying, with the necessary adaptations, as respects such stamps, all or any of the provisions (including penal provisions) of the Stamp Duties Management Act, 1891, as amended by any subsequent Act, and section sixty-five of the Post Office Act, 1908, and may with the consent of the Postmaster-General provide for the sale of such stamps through the Post Office.

54 & 55 Vict. c. 38.

8 Edw. 7. c. 48.

Outdoor relief.

109. In granting outdoor relief to a person in receipt of or entitled to receive any benefit under this Act, a board of guardians shall not take into consideration any such benefit, except so far as such benefit exceeds five shillings a week.

Priority of claims for contributions due by bankrupt employers.

51 & 52 Vict. c. 62.

8 Edw. 7. c. 69.

110.—(1) There shall be included among the debts which, under section one of the Preferential Payments in Bankruptcy Act, 1888, and section two hundred and nine of the Companies (Consolidation) Act, 1908, are, in the distribution of the property of a bankrupt and in the distribution of the assets of a company being wound up, to be paid in priority to all other debts, all contributions payable under this Act by the bankrupt or the company in respect of employed contributors or workmen in an insured trade during the four months before the date of the receiving order, or, as the case may be, the commencement of the winding up or the winding-up order, and those Acts shall have effect accordingly, and formal proof of the debts to which priority is given under this section shall not be required except in cases where it may otherwise be provided by rules made under the Bankruptcy Act, 1883, or the Companies (Consolidation) Act, 1908. 46 & 47 Vict. c. 52.

(2) In the case of the winding up of a company within the meaning of the Stannaries Act, 1887, such contributions as aforesaid shall, if payable in respect of a miner, have the like priority as is conferred on wages of miners by section nine of that Act, and that section shall have effect accordingly. 50 & 51 Vict. c. 43.

(3) This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

(4) In the application of this section to Scotland, a reference to section three of the Bankruptcy (Scotland) Act, 1875, and the respective dates therein mentioned shall be substituted for the reference to section one of the Preferential Payments in Bankruptcy Act, 1888, and the date of the receiving order; and an Act of Sederunt under the Bankruptcy Amendment (Scotland) Act, 1856, shall be substituted for rules under the Bankruptcy Act, 1883. 38 & 39 Vict. c. 26. 19 & 20 Vict. c. 79.

(5) In the application of this section to Ireland a reference to section four of the Preferential Payments in Bankruptcy (Ireland) Act, 1889, shall be substituted for the reference to section one of the Preferential Payments in Bankruptcy Act, 1888; and a reference to general orders made under the first-mentioned Act shall be substituted for the reference to rules made under the Bankruptcy Act, 1883; and any reference to a bankrupt shall include a reference to an arranging debtor; and the reference to the receiving order shall be construed as a reference to the order of adjudication in the case of a bankrupt, or to the filing of the petition for arrangement in the case of an arranging debtor. 52 & 53 Vict. c. 60.

Benefits to be inalienable.

111. Every assignment of, or charge on, and every agreement to assign or charge, any of the benefits conferred by this Act shall be void, and, on the bankruptcy of any person entitled to any such benefit, the benefit shall not pass to any trustee or other person acting on behalf of his creditors.

Powers of inspectors.

112.—(1) An inspector appointed under this Act shall, for the purposes of the execution of this Act, have power to do all or any of the following things, namely:—

(*a*) to enter at all reasonable times any premises or place, other than a private dwelling-house not being a workshop, where he has reasonable grounds for supposing that any employed contributors or workmen in an insured trade are employed;

(*b*) to make such examination and inquiry as may be necessary for ascertaining whether the provisions of this Act are complied with in any such premises or place;

(*c*) to examine, either alone or in the presence of any other person, as he thinks fit, with respect to any matters under this Act, every person whom he finds in any such premises or place, or whom he has reasonable cause to believe to be or to have been an employed contributor or workman in an insured trade, and to require every such person to be so examined, and to sign a declaration of the truth of the matters in respect of which he is so examined;

(*d*) to exercise such other powers as may be necessary for carrying this Act into effect.

(2) The occupier of any such premises or place and any other person employing any employed contributor or workman in an insured trade, and the servants and agents of any such occupier or other person, and any employed contributor or workman in an insured trade shall furnish to any inspector all such information and shall produce for inspection all such registers, books, cards, and other documents as the inspector may reasonably require.

(3) If any person wilfully delays or obstructs an inspector in the exercise of any power under this section or fails to give such information or to produce such documents as aforesaid, or conceals or prevents or attempts to conceal or prevent any person from appearing before or being examined by an inspector, he shall be liable on summary conviction to a fine not exceeding five pounds:

Provided that no one shall be required under this section to answer any question or give any evidence tending to incriminate himself.

(4) Where any such premises or place are liable to be inspected by inspectors or other officers, or are under the control, of some other Government department, the Insurance Commissioners or Board of Trade may make arrangements with that other Government department for any of the powers and duties of inspectors under this section being carried out by inspectors or other officers of such other Government department, and, where such an arrangement is made, such inspectors and officers shall have all the powers of an inspector under this section.

(5) Every inspector shall be furnished with the prescribed certificate of his appointment, and on applying for admission to any premises for the purposes of this Act shall, if so required, produce the said certificate to the occupier.

Procedure for making special orders.
1 Edw. 7. c. 22.

113.—(1) Sections eighty and eighty-one of the Factory and Workshop Act, 1901, relating to the making of regulations under that Act, as set out and adapted in the Ninth Schedule to this Act, shall apply to special orders made under this Act.

(2) Before a special order (other than a special order excluding any occupation from the occupations which are to be deemed employment in an insured trade) comes into force, it shall be laid before each House of Parliament for a period of not less

than thirty days during which the House is sitting, and, if either of those Houses before the expiration of those thirty days presents an Address to His Majesty against the order or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new order.

Provisions as to birth certificates.

114. Where, for the purposes of this Act, the age of any person is required to be proved by the production of a certificate of birth, any person shall, on presenting a written requisition in such form and containing such particulars as may be from time to time prescribed by the Local Government Board for England, Scotland, or Ireland, as the case may be, and, on payment of a fee of sixpence, be entitled to obtain a certified copy of the entry of the birth of that person in the birth register, under the hand of the registrar or superintendent registrar having the custody thereof, and forms for such requisition shall on request be supplied without any charge by every registrar of births and deaths and by every superintendent registrar.

Short title and commencement.

115. This Act may be cited as the National Insurance Act, 1911, and shall, save as otherwise expressly provided by this Act, come into operation on the fifteenth day of July nineteen hundred and twelve:

Provided that His Majesty in Council may, should necessity arise, substitute some subsequent date or dates not being later than the first day of January nineteen hundred and thirteen as respects the provisions of this Act relating to health insurance, and not being later than the first day of October nineteen hundred and twelve as respects the provisions of this Act relating to unemployment insurance.

SCHEDULES.

FIRST SCHEDULE.

Sections 1 and 81.

Part I.

Employments within the Meaning of Part I. of this Act relating to Health Insurance.

(*a*) Employment in the United Kingdom under any contract of service* or apprenticeship, written or oral, whether expressed or implied, and whether the employed person is paid by the employer or some other

See * as to employt. of Ministers of United Methodist Church. 1912
" " " " Church of England Curates 1912. 2 Ch 563

person, and whether under one or more employers, and whether paid by time or by the piece or partly by time and partly by the piece, or otherwise, or,(except in the case of a contract of apprenticeship), without any money payment.

(*b*) Employment under such a contract as aforesaid as master or a member of the crew of any ship registered in the United Kingdom or of any other British ship or vessel of which the owner, or, if there is more than one owner, the managing owner or manager, resides or has his principal place of business in the United Kingdom.

Master tailor held to be employer contributing to Nat. Insce Act 1913

(*c*) Employment as an outworker (that is to say, a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale in his own home or on other premises not under the control or management of the person who gave out the articles or materials for the purposes of the trade or business of the last-mentioned person), unless excluded by a special order made by the Insurance Commissioners, and any such order may exclude outworkers engaged in work of any class, or outworkers of any class or description specified in the order, or may defer the commencement of this Act as respects all outworkers, and the person who gave out the articles or materials shall, in relation to the person to whom he gave them out, be deemed to be the employer.

(*d*) Employment in the United Kingdom in plying for hire with any vehicle or vessel the use of which is obtained from the owner thereof under any contract of bailment (or in Scotland any contract of letting to hire) in consideration of the payment of a fixed sum or a share in the earnings or otherwise, in which case the owner shall, for the purposes of Part I. of this Act, be deemed to be the employer.

PART II.

EXCEPTIONS.

(*a*) Employment in the naval or military service of the Crown, including service in Officers' Training Corps, except as otherwise provided in Part I. of this Act.

(*b*) Employment under the Crown or any local or other public authority where the Insurance Commissioners certify that the terms of the employment are such as to secure provision in respect of sickness and disablement on the whole not less favourable than the corresponding benefits conferred by Part I. of this Act.

(*c*) Employment as a clerk or other salaried official in the service of a railway or other statutory company, or of a joint committee of two or more such companies, where the Insurance Commissioners certify that the terms of employment, including his rights in such superannuation fund as is herein-after mentioned, are such as to secure provision in respect of sickness and disablement, on the whole, not less favourable than the corresponding benefits conferred by Part I. of this Act, and the person so employed is entitled to rights in a superannuation fund established by Act of Parliament for the benefit of persons in such employment, or in Ireland is entitled to rights in any such superannuation und or in any railway superannuation fund which may be approved by the Insurance Commissioners.

(*d*) Employment as a teacher to whom the Elementary School Teachers Superannuation Act, 1898, or a scheme under section fourteen of the Education (Scotland) Act, 1908, or the National School Teachers (Ireland) Act, 1879, applies, or, in the event of any similar enactment being hereafter passed as respects teachers or any class of teachers (other than teachers in public elementary schools), as a teacher to whom such enactment applies.

(*e*) Employment as an agent paid by commission or fees or a share in the profits, or partly in one and partly in another such ways, where the person so employed is mainly dependent for his livelihood on his earnings from some other occupation, or where he is ordinarily employed as such agent by more than one employer, and his employment under no one of such employers is that on which he is mainly dependent for his livelihood.

(*f*) Employment in respect of which no wages or other money payment is made where the employer is the occupier of an agricultural holding and the employed person is employed thereon, or where the person employed is the child of, or is maintained by, the employer.

(*g*) Employment otherwise than by way of manual labour "work"* and at a rate of remuneration exceeding in value one hundred and sixty pounds a year, or in cases where such employment involves part-time service only, at a rate of remuneration which in the opinion of the Insurance Commissioners, is equivalent to a rate of remuneration exceeding one hundred and sixty pounds a year for whole-time service.

* Held i[illegible] [illegible]
[illegible] foreman
tailor's cutter – 1912
so [illegible] [illegible]
& Engraver 1913

(*h*) Employment of a casual nature otherwise than for the purposes of the employer's trade or business, and otherwise than for the purposes of any game or recreation where the persons employed are engaged or paid through a club, and in such case the club shall be deemed to be the employer.

(*i*) Employment of any class which may be specified in a special order as being of such a nature that it is ordinarily adopted as subsidiary employment only and not as the principal means of livelihood.

(*j*) Employment as an outworker where the person so employed is the wife of an insured person and is not wholly or mainly dependent for her livelihood on her earnings in such employment.

(*k*) Employment as a member of the crew of a fishing vessel where the members of such crew are remunerated by shares in the profits or the gross earnings of the working of such vessel in accordance with any custom or practice prevailing at any port if a special order is made for the purpose by the Insurance Commissioners, and the particular custom or practice prevailing at the port is one to which the order applies.

(*l*) Employment in the service of the husband or wife of the employed person.

Sections 4 and 81.

SECOND SCHEDULE.

Rates of Contribution under Part I. of this Act relating to Health Insurance.

Part I.

Employed Rate.

In the case of men	7*d.* a week.
,, ,, women	6*d.* ,,

Contributions by Employers and Employed Contributors.

To be paid by the employer		3*d.* a week.
,, ,, contributor	Men,	4*d.* ,,
	Women,	3*d.* ,,

In the case of employed contributors of either sex of the age of 21 or upwards whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 2*s.* 6*d.* a working day, the following shall be the rates of contribution :—

Where the rate of remuneration does not exceed 1*s.* 6*d.* a working day—

		A week.
To be paid by the employer	For men,	6*d.*
	,, women,	5*d.*
,, out of moneys provided by Parliament		1*d.*

Where the rate of remuneration exceeds 1*s.* 6*d.* but does not exceed 2*s.* a working day—

		A week.
To be paid by the employer	For men,	5*d.*
	,, women,	4*d.*
,, ,, contributor		1*d.*
,, out of moneys provided by Parliament		1*d.*

Where the rate of remuneration exceeds 2*s.* but does not exceed 2*s.* 6*d.* a working day—

To be paid by the employer	For men,	4*d.*
	,, women,	3*d.*
,, ,, contributor		3*d.*

Part II.

Employed Rate in Ireland.

In the case of men	5½*d.* a week.
,, ,, women	4½*d.* ,,

Contributions by Employers and Employed Contributors.

To be paid by the employer		2½*d.* a week.
,, ,, contributor	Men,	3*d.* ,,
	Women,	2*d.* ,,

In the case of employed contributors of either sex of the age of 21 or upwards whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 2*s.* 6*d.* a working day, the following shall be the rates of contribution :—

Where the rate of remuneration does not exceed 1*s.* 6*d.* a working day—

		A week.
To be paid by the employer - - - -	For men,	4½*d.*
	„ women,	3½*d.*
„ out of moneys provided by Parliament - -		1*d.*

Where the rate of remuneration exceeds 1*s.* 6*d.* but does not exceed 2*s.* a working day—

		A week.
To be paid by the employer - - - -	For men,	4*d.*
	„ women,	3*d.*
„ „ contributor - -		½*d.*
„ out of moneys provided by Parliament - -		1*d.*

Where the rate of remuneration exceeds 2*s.* but does not exceed 2*s.* 6*d.* a working day—

To be paid by the employer - - - -	For men,	3½*d.*
	„ women,	2½*d.*
„ „ contributor - - - - - - -		2*d.*

THIRD SCHEDULE.

Section 4.

Rules as to Payment and Recovery of Contributions paid by Employers on behalf of Employed Contributors under Part I. of this Act relating to Health Insurance.

(1) A weekly contribution shall be payable for each calendar week during the whole or any part of which an employed contributor has been employed by an employer : Provided that, where one weekly contribution has been paid in respect of an employed contributor in any such week, no further contribution shall be payable in respect of him in the same week, and that, where no remuneration has been received and no services rendered by an employed contributor during any such week, or where no services have been rendered by an employed contributor during any such week and the employed contributor has been in receipt of sickness or disablement benefit during the whole or any part of that week, the employer shall not be liable to pay any contribution either on his own behalf or on behalf of the contributor in respect of that week.

(2) The employer shall, except as herein-after provided, be entitled to recover from the employed contributor the amount of any contributions paid by him on behalf of the employed contributor.

(3) Except where the employed contributor does not receive any wages or other pecuniary remuneration from the employer, the amounts so recoverable shall, notwithstanding the provisions of any Act or any contract to the contrary, be recoverable by means of deductions from the wages or other remuneration, and not otherwise ; but no such deductions may be made from any wages or remuneration other than such as are paid in respect of the period or part of the period in respect of which the contribution is payable, or in excess of the sum which represents

the amount of the contributions for the period (if such period is longer than a week) in respect of which the wages or other remuneration are paid.

(4) Where a contribution paid by the employer on behalf of an employed contributor is recoverable from the contributor but is not recoverable by means of deductions as aforesaid, it shall (without prejudice to any other means of recovery) be recoverable summarily as a civil debt, but no such contribution shall be recoverable unless proceedings for the purpose are instituted within three months from the date when the contribution was payable.

(5) Where the contributor is employed by more than one employer in any calendar week, the first person employing him in that week or such other employer or employers as may be prescribed shall be deemed to be the employer for the purposes of the provisions of Part I. of this Act relating to the payment of contributions and of this schedule.

(6) Regulations of the Insurance Commissioners may provide that in any cases or any classes of cases where employed contributors work under the general control and management of some person other than their immediate employer, such as the owner, agent, or manager of a mine or quarry, or the occupier of a factory or workshop, such person shall, for the purposes of the provisions of Part I. of this Act relating to the payment of contributions and of this schedule, be treated as the employer, and may provide for allowing him to deduct the amount of any contributions (other than employer's contributions) which he may become liable to pay from any sums payable by him to the immediate employer, and for enabling the immediate employer to recover from the employed contributors the like sums and in the like manner as if he were liable to pay the contributions.

(7) Where the contributor is not paid wages or other money payments by his employer or any other person, the employer shall be liable to pay the contributions payable both by himself and the contributor, and shall not be entitled to recover any part thereof from the contributor.

(8) Notwithstanding any contract to the contrary, the employer shall not be entitled to deduct from the wages of or otherwise to recover from the contributor the employer's contribution.

(9) Any sum deducted by any employer from wages or other remuneration under this schedule shall be deemed to have been entrusted to him for the purpose of paying the contribution in respect of which it was deducted.

(10) The Insurance Commissioners may, by regulations, provide that in the case of outworkers the contributions to be paid may be determined by reference to the work actually done, instead of by reference to the weeks in which work is done, and any such regulations may apply to all trades or to any specified classes or branches of trades, and may determine the conditions to be complied with by employers who adopt such a system of payment of contributions.

(11) For the purposes of this schedule the expression "calendar week" means the period from midnight on one Sunday to midnight on the following Sunday.

FOURTH SCHEDULE.

Sections 8, 9, 37, 44 and 81.

Benefits under Part I. of this Act relating to Health Insurance.

Part I.

Rates of Benefits.

Table A.—*Ordinary Rates.*

Sickness benefit: for men, the sum of 10*s.* a week throughout the whole period of twenty-six weeks; for women, the sum of 7*s.* 6*d.* a week throughout the whole period of twenty-six weeks.

Disablement benefit: the sum of 5*s.* a week for men and women alike.

Table B.—*Reduced Rates in the case of Unmarried Minors.*

Sickness Benefit—for males, the sum of 6*s.* a week during the first thirteen weeks and the sum of 5*s.* a week during the second thirteen weeks.

for females, the sum of 5*s.* a week for the first thirteen weeks and the sum of 4*s.* a week for the second thirteen weeks.

Disablement Benefit—for females, the sum of 4*s.* a week.

Table C.—*Reduced Rates for Persons over Fifty in certain cases.*

Where the insured person is over 50 and under 60 at the time of becoming an employed contributor—

For men, the sum of 7*s.* a week throughout the whole period of twenty-six weeks.

For women, the sum of 6*s.* a week throughout the whole period of twenty-six weeks.

Where the insured person is over 60 at the time of becoming an employed contributor—

For both men and women, the sum of 6*s.* a week for the first thirteen weeks, and 5*s.* a week during the second thirteen weeks.

Table D.—*Rates and Conditions for Married Women.*

Sickness benefit: during the first thirteen weeks, the sum of 5*s.* a week; during the second thirteen weeks, 3*s.* a week.

Disablement benefit: the sum of 3*s.* a week.

Sickness benefit and disablement benefit shall not be payable during the two weeks before and four weeks after confinement, except in respect of a disease or disablement neither directly nor indirectly connected with childbirth.

PART II.

Additional Benefits.

(1) Medical treatment and attendance for any persons dependent upon the labour of a member.

(2) The payment of the whole or any part of the cost of dental treatment.

(3) An increase of sickness benefit or disablement benefit in the case either of all members of the society or of such of them as have any children or any specified number of children wholly or in part dependent upon them.

(4) Payment of sickness benefit from the first, second, or third day after the commencement of the disease or disablement.

(5) The payment of a disablement allowance to members though not totally incapable of work.

(6) An increase of maternity benefit.

(7) Allowances to a member during convalescence from some disease or disablement in respect of which sickness benefit or disablement benefit has been payable.

(8) The building or leasing of premises suitable for convalescent homes and the maintenance of such homes.

(9) The payment of pensions or superannuation allowances whether by way of addition to old age pensions under the Old Age Pensions Act, 1908, or otherwise.

(10) The payment, subject to the prescribed conditions, of contributions to superannuation funds in which the members are interested.

(11) Payments to members who are in want or distress including the remission of arrears whenever such arrears may have become due.

(12) Payments for the personal use of a member who, by reason of being an inmate of a hospital or other institution, is not in receipt of sickness benefit or disablement benefit.

(13) Payments to members not allowed to attend work on account of infection.

(14) Repayment of the whole or any part of contributions thereafter payable under Part I. of this Act by members of the society or any class thereof.

PART III.

Benefits for Married Women who do not become Voluntary Contributors at reduced Rates.

Payment of the sum of 5*s.* a week on confinement during a period not exceeding four weeks on any one occasion.

Payments during any period of sickness or distress, subject to regulations made by the Insurance Commissioners and to the discretion of the society or committee administering the benefit.

FIFTH SCHEDULE.

Section 10.

Reduction or Postponement of Sickness Benefit and where Contributions are in Arrear.

Table.

(1)	(2)	
Where the arrears amount to	Rates of Sickness Benefit.	
	Men.	Women.
	s. *d.*	*s.* *d.*
4 contributions a year on average	9 6	7 3
5 ,, ,, ,,	9 0	7 0
6 ,, ,, ,,	8 6	6 9
7 ,, ,, ,,	8 0	6 6
8 ,, ,, ,,	7 6	6 3
9 ,, ,, ,,	7 0	6 0
10 ,, ,, ,,	6 6	5 9
11 ,, ,, ,,	6 0	5 6
12 ,, ,, ,,	5 6	5 3
13 ,, ,, ,,	5 0	5 0
For both Men and Women.	5*s.* 0*d.*, commencing 5th day after commencement of illness.	
	,, ,, 6th ,, ,,	
	,, ,, 7th ,, ,,	
	,, ,, 8th ,, ,,	
	,, ,, 9th ,, ,,	
	,, ,, 10th ,, ,,	
	,, ,, 11th ,, ,,	
	,, ,, 12th ,, ,,	
	,, ,, 13th ,, ,,	
	,, ,, 14th ,, ,,	

Notes.

Where the insured person is, by virtue of any of the provisions of Part I. of this Act, other than those relating to arrears, entitled to sickness benefit at a rate lower than the full rate, this Table shall have effect as if the entries in the first column were so shifted down that the first entry therein was set opposite the entry in the second column next below the entry specifying the rate of sickness benefit to which the insured person is entitled.

When the rate of sickness benefit during the first thirteen weeks to which the insured person is entitled is, by virtue of any of the provisions of this Act, other than those relating to arrears, less than 5*s.* a week, this Table shall have effect as if such lower rate were therein substituted for the rate of 5*s.* a week.

Section 84.

SIXTH SCHEDULE.

List of Insured Trades for the purposes of Part II. of this Act relating to Unemployment Insurance.

(1) Building; that is to say, the construction, alteration, repair, decoration, or demolition of buildings, including the manufacture of any fittings of wood of a kind commonly made in builders' workshops or yards.

(2) Construction of works; that is to say, the construction, reconstruction, or alteration of railroads, docks, harbours, canals, embankments, bridges, piers or other works of construction.

(3) Shipbuilding; that is to say, the construction, alteration, repair or decoration of ships, boats or other craft by persons not being usually members of a ship's crew, including the manufacture of any fittings of wood of a kind commonly made in a shipbuilding yard.

(4) Mechanical engineering, including the manufacture of ordnance and firearms.

(5) Ironfounding, whether included under the foregoing headings or not.

(6) Construction of vehicles; that is to say, the construction, repair, or decoration of vehicles.

(7) Sawmilling (including machine woodwork) carried on in connection with any other insured trade or of a kind commonly so carried on.

Section 84.

SEVENTH SCHEDULE.

Rates and Periods of Unemployment Benefit.

In respect of each week following the first week of any period of unemployment, seven shillings~~, or~~ such other rates as may be prescribed either generally or for any particular trade or any branch thereof:

Provided that, in the case of a workman under the age of eighteen, no unemployment benefit shall be paid while the workman is below the age of seventeen, and while the workman is of the age of seventeen or upwards but below the age of eighteen, unemployment benefit shall only be paid at half the rate at which it would be payable if the workman was above the age of eighteen.

No workman shall receive unemployment benefit for more than fifteen or such other number of weeks as may be prescribed either generally or for any particular trade or branch thereof within any period of twelve months, or in respect of any period less than one day.

No workman shall receive more unemployment benefit than in the proportion of one week's benefit for every five contributions paid by him under this Act:

Provided that for the purpose of the foregoing paragraph—

(*a*) in the case of a workman who satisfies the Board of Trade that he is over the age of twenty-one and has habitually worked at an insured trade before the commencement of this Act, there shall be deemed to be added to the number of contributions which he has actually paid five contributions for each period of three months or part of such period during which he has so worked before the commencement of this Act, up to a maximum of twenty-five contributions; and

(*b*) where, owing to the fact that the wages or other remuneration of a workman are paid at intervals greater than a week, or for any other like reason contributions are paid under Part II. of this Act in respect of any workman at intervals greater than a week, that workman shall be entitled to treat each of such contributions as so many contributions as there are weeks in the period for which the contribution has been paid.

Any time during which a workman is, under Part II. of this Act, disqualified for receiving unemployment benefit shall be excluded in the computation of periods of unemployment under this schedule.

A period of unemployment shall not be deemed to commence till the workman has made application for unemployment benefit in such manner as may be prescribed.

The power conferred by this schedule on the Board of Trade to prescribe rates and periods of unemployment benefit shall not be exercised so as to increase the rate of benefit above eight shillings per week or reduce it below six shillings per week, or to increase the period of unemployment benefit above fifteen weeks, or to alter the proportion which the period of benefit bears to the number of contributions paid, except by rules confirmed by an order made in accordance with the provisions of this Act relating to special orders.

EIGHTH SCHEDULE.

Sections 85, 102 and 103.

CONTRIBUTIONS FOR THE PURPOSES OF PART II. OF THIS ACT RELATING TO UNEMPLOYMENT INSURANCE.

RATES OF CONTRIBUTION FROM WORKMEN AND EMPLOYERS.

From every workman employed in an insured trade for every week he is so employed - - - - - -	2½*d.*
From every employer by whom one or more workmen are employed in an insured trade, in respect of each workman, for every week he is so employed - - - - - -	2½*d.*

Provided that, in the case of a workman below the age of eighteen, 1*d.* shall be substituted for 2½*d.* as the contribution from the workman and from the employer, but, for the purpose of reckoning the number of contributions in respect of such a workman except as regards the payment of unemployment benefit before he reaches the age of eighteen, the 1*d.* shall be treated as two-fifths of a contribution.

Every such period of employment of less than a week shall, for the purposes of this schedule, be treated as if it were employment for a whole week, except that, where the period of employment is two days or less, the contributions both of the employer and of the workman shall be reduced to one penny if the period does not exceed one day and to twopence if it exceeds one day; and, in such case, in reckoning the number of contributions under Part II. of this Act and the schedules therein referred to, contributions at such reduced rates shall be treated as two-fifths or four-fifths of a contribution as the case may require.

Section 113.

NINTH SCHEDULE

Provisions of the Factory and Workshop Act, 1901, applied to Special Orders made under this Act.

80.—(1) Before the authority empowered to make special orders make any special order under this Act, they shall publish, in such manner as they may think best adapted for informing persons affected, notice of the proposal to make the order, and of the place where copies of the draft order may be obtained, and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft order by or on behalf of persons affected must be sent to the authority.

(2) Every objection must be in writing and state—

(*a*) the draft order or portions of draft order objected to;
(*b*) the specific grounds of objection; and
(*c*) the omissions, additions, or modifications asked for.

(3) The authority shall consider any objection made by or on behalf of any persons appearing to them to be affected which is sent to them within the required time, and they may, if they think fit, amend the draft order, and shall then cause the amended draft to be dealt with in like manner as an original draft.

(4) Where the authority do not amend or withdraw any draft order to which any objection has been made, then (unless the objection either is withdrawn or appears to them to be frivolous) they shall, before making the order, direct an inquiry to be held in the manner hereinafter provided.

81.—(1) The authority may appoint a competent and impartial person to hold an inquiry with regard to any draft order, and to report to them thereon.

(2) The inquiry shall be held in public, and any objector and any other person who, in the opinion of the person holding the inquiry, is affected by the draft order, may appear at the inquiry either in person or by counsel, solicitor, or agent.

(3) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

(4) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the authority.

(5) The fee to be paid to the person holding the inquiry shall be such as the authority may direct and shall be deemed to be part of the expenses of the authority in carrying this Act into effect.

(6) For the purposes of this schedule, the expression "authority" means the Insurance Commissioners or the Board of Trade, as the case may be.

CHAPTER 56.

An Act to amend the Telephone Transfer Act, 1911, so as to authorise a payment to be made to the National Telephone Company, Limited, of a sum on account of the Telephone Purchase Money before the amount thereof is finally ascertained. [16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to make a payment to the National Telephone Company, Limited, on account of the telephone purchase money.

1.—(1) The Treasury may issue out of the Consolidated Fund, or the growing produce thereof, such sums, not exceeding in the whole three million pounds, as may be required for making any payment which the Postmaster-General may agree to make to the National Telephone Company, Limited, as a payment on account of the sums ultimately payable as the telephone purchase money.

(2) Any sums so authorised to be issued shall be treated for the purpose of the Telephone Transfer Act, 1911, as if they were sums authorised to be issued under that Act for the purpose of the payment of that part of the telephone purchase money which is payable in cash, and that Act shall apply accordingly.

1 & 2 Geo. 5. c. 26.

Short title and construction.

2.—(1) This Act may be cited as the Telephone Transfer Amendment Act, 1911.

(2) This Act shall be construed as one with the Telephone Transfer Act, 1911, and may be cited with the Telegraph Acts, 1863 to 1911.

CHAPTER 57.

An Act to amend the Law relating to Merchant Shipping with a view to enabling certain Conventions to be carried into effect. [16th December 1911.]

WHEREAS at the Conference held at Brussels in the year nineteen hundred and ten two conventions, dealing respectively with collisions between vessels and with salvage, were signed on behalf of His Majesty, and it is desirable that such amendments should be made in the law relating to merchant shipping as will enable effect to be given to the conventions:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisions as to Collisions, &c.

Rule as to division of loss.

1.—(1) Where, by the fault of two or more vessels, damage or loss is caused to one or more of those vessels, to their cargoes or freight, or to any property on board, the liability to make good the damage or loss shall be in proportion to the degree in which each vessel was in fault:

Provided that—

(*a*) if, having regard to all the circumstances of the case, it is not possible to establish different degrees of fault, the liability shall be apportioned equally; and

(*b*) nothing in this section shall operate so as to render any vessel liable for any loss or damage to which her fault has not contributed; and

(*c*) nothing in this section shall affect the liability of any person under a contract of carriage or any contract, or shall be construed as imposing any liability upon any person from which he is exempted by any contract or by any provision of law, or as affecting the right of any person to limit his liability in the manner provided by law.

(2) For the purposes of this Act, the expression "freight" includes passage money and hire, and references to damage or loss caused by the fault of a vessel shall be construed as including references to any salvage or other expenses, consequent upon that fault, recoverable at law by way of damages.

Damages for personal injuries.

2. Where loss of life or personal injuries are suffered by any person on board a vessel owing to the fault of that vessel and of any other vessel or vessels, the liability of the owners of the vessels shall be joint and several:

Provided that nothing in this section shall be construed as depriving any person of any right of defence on which, independently of this section, he might have relied in an action brought against him by the person injured, or any person or persons entitled to sue in respect of such loss of life, or shall affect the right of any person to limit his liability in cases to which this section relates in the manner provided by law.

Right of contribution.

3.—(1) Where loss of life or personal injuries are suffered by any person on board a vessel owing to the fault of that vessel and any other vessel or vessels, and a proportion of the damages is recovered against the owners of one of the vessels which exceeds the proportion in which she was in fault, they may recover by way of contribution the amount of the excess from the owners of the other vessel or vessels to the extent to which those vessels were respectively in fault:

Provided that no amount shall be so recovered which could not, by reason of any statutory or contractual limitation of, or exemption from, liability, or which could not for any other reason, have been recovered in the first instance as damages by the persons entitled to sue therefor.

(2) In addition to any other remedy provided by law, the persons entitled to any such contribution as aforesaid shall, for the purpose of recovering the same, have, subject to the provisions of this Act, the same rights and powers as the persons entitled to sue for damages in the first instance.

Abolition of statutory presumptions of fault. 57 & 58 Vict. c. 60.

4.—(1) Subsection (4) of section four hundred and nineteen of the Merchant Shipping Act, 1894 (which provides that a ship shall be deemed in fault in a case of collision where any of the collision regulations have been infringed by that ship), is hereby repealed.

(2) The failure of the master or person in charge of a vessel to comply with the provisions of section four hundred and twenty-two of the Merchant Shipping Act, 1894, (which imposes a duty upon masters and persons in charge of vessels after a collision to stand by and assist the other vessel) shall not raise any presumption of law that the collision was caused by his wrongful act, neglect, or default, and accordingly subsection (2) of that section shall be repealed.

Jurisdiction in cases of loss of life or personal injury.

5. Any enactment which confers on any court Admiralty jurisdiction in respect of damage shall have effect as though references to such damage included references to damages for loss of life or personal injury, and accordingly proceedings in respect of such damages may be brought in rem or in personam.

Provisions as to Salvage.

General duty to render assistance to persons in danger at sea.

6.—(1) The master or person in charge of a vessel shall, so far as he can do so without serious danger to his own vessel, her crew and passengers (if any), render assistance to every person, even if such person be a subject of a foreign State at war with His Majesty, who is found at sea in danger of being lost, and, if he fails to do so, he shall be guilty of a misdemeanour.

(2) Compliance by the master or person in charge of a vessel with the provisions of this section shall not affect his right or the right of any other person to salvage.

Apportionment of salvage amongst owners, &c., of foreign ship.

7. Where any dispute arises as to the apportionment of any amount of salvage among the owners, master, pilot, crew, and other persons in the service of any foreign vessel, the amount shall be apportioned by the court or person making the apportionment in accordance with the law of the country to which the vessel belongs.

General Provisions.

Limitation of actions.

8. No action shall be maintainable to enforce any claim or lien against a vessel or her owners in respect of any damage or loss to another vessel, her cargo or freight, or any property on board her, or damages for loss of life or personal injuries suffered by any person on board her, caused by the fault of the former vessel, whether such vessel be wholly or partly in fault, or in respect of any salvage services, unless proceedings therein are commenced within two years from the date when the damage or loss or injury was caused or the salvage services were rendered, and an action shall not be maintainable under this Act to enforce any contribution in respect of an overpaid proportion of any damages for loss of life or personal injuries unless proceedings therein are commenced within one year from the date of payment:

Provided that any court having jurisdiction to deal with an action to which this section relates may, in accordance with the rules of court, extend any such period, to such extent and on such conditions as it thinks fit, and shall, if satisfied that there has not during such period been any reasonable opportunity of arresting the defendant vessel within the jurisdiction of the court, or within the territorial waters of the country to which the plaintiff's ship belongs or in which the plaintiff resides or has his principal place of business, extend any such period to an extent sufficient to give such reasonable opportunity.

Application of Act.

9.—(1) This Act shall extend throughout His Majesty's dominions and to any territories under his protection, and to Cyprus:

Provided that it shall not extend to the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

(2) This Act shall not apply in any case in which proceedings have been taken before the passing thereof and all such cases shall be determined as though this Act had not been passed.

(3) The provisions of this Act shall be applied in all cases heard and determined in any court having jurisdiction to deal with the case and in whatever waters the damage or loss in question was caused or the salvage services in question were rendered, and subsection (9) of section twenty-five of the Supreme Court of Judicature Act, 1873, shall cease to have effect.

36 & 37 Vict. c. 66.

(4) This Act shall apply to any persons other than the owners responsible for the fault of the vessel as though the expression "owners" included such persons, and in any case where, by virtue of any charter or demise, or for any other reason, the owners are not responsible for the navigation and management of the vessel, this Act shall be read as though for references to the owners there were substituted references to the charterers or other persons for the time being so responsible.

Short title and construction.

10. This Act may be cited as the Maritime Conventions Act, 1911, and shall be construed as one with the Merchant Shipping Acts, 1894 to 1907.

CHAPTER 58.

An Act to amend the Law with respect to the salaries, superannuation, appointment, and powers of Resident Magistrates for the city of Belfast.

[16th December 1911.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Additional salaries, pensions, and gratuities payable to resident magistrates for the city of Belfast by the Corporation.

1.—(1) From and after the passing of this Act, the lord mayor, aldermen and citizens of the city of Belfast (in this Act referred to as "the Corporation") shall pay to each resident magistrate for the time being for the city a salary at the rate of two hundred pounds a year, by way of addition to the salary payable to him under the Resident Magistrates and Police Commissioners Salaries Act, 1874.

37 & 38 Vict. c. 23.

(2) The additional salary payable to a resident magistrate under this section shall not be reckoned as part of his annual salary or emoluments for any of the purposes of the Superannuation Acts, 1834 to 1909, but in every case where under those Acts a superannuation or other allowance or gratuity is granted to a resident magistrate for the city of Belfast on his retiring or being removed from that office after the passing of this Act, the Corporation shall supplement the same by the grant of an additional allowance or gratuity of such an amount as will bear to the amount of the allowance or gratuity under those Acts the same proportion which the additional salary bears to the salary upon which the allowance or gratuity under those Acts is calculated.

(3) The provisions of the last preceding subsection with respect to the grant of an additional gratuity shall apply in every case where a gratuity under the Superannuation Acts, 1834 to 1909, is granted to the personal representatives of any resident magistrate for the city of Belfast who, after the passing of this Act, dies whilst holding that office or whilst in receipt of an additional allowance under the said subsection.

(4) The additional salaries, allowances, and gratuities payable under this section shall be paid at such times and in such manner as may be prescribed by the Lord Lieutenant, and shall be defrayed by the Corporation out of the general purposes rate.

(5) In the case of any resident magistrate for the city of Belfast holding office on the first day of January nineteen hundred and eleven, and also on the date of the passing of this Act, the additional salary shall commence and be payable as from the first day of January nineteen hundred and eleven.

Qualifications for office.

2. No person shall, after the passing of this Act, be appointed to be a resident magistrate for the city of Belfast who is not, at the time of his appointment, a practising barrister or solicitor of not less than six years' standing or a resident magistrate.

Extension of jurisdiction.

3. A resident magistrate for the city of Belfast, sitting alone at any place within the city appointed for holding petty sessions, shall, in addition to his other powers, have power to do alone any act and to exercise alone any jurisdiction which, under or in pursuance of any statute, may be done or exercised by two or more justices of the peace sitting in petty sessions at any such place.

Interpretation. 6 & 7 Will. 4. c. 13.

4. In this Act the expression "resident magistrate" means a magistrate appointed under the Constabulary (Ireland) Act, 1836.

Short title.

5. This Act may be cited as the Resident Magistrates (Belfast) Act, 1911.

TABLE II.

A
TABLE
OF

The Titles of the Local and Private Acts (including the Public Acts of a Local Character) passed during the Session (arranged according to chapter).

1 & 2 GEORGE 5.—A.D. 1911.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

Royal Assent, 29th March 1911.

P. i. AN Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Paisley Corporation. (*Paisley Corporation Order Confirmation.*)

P. ii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Ayrshire (Loch Bradan) Water Distribution. (*Ayrshire (Loch Bradan) Water Distribution Order Confirmation.*)

P. iii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Irvine Burgh. (*Irvine Burgh Order Confirmation.*)

P. iv. An Act to confirm a Provisional Order of the Secretary of State under the Military Lands Act 1892. (*Military Lands Provisional Order* (1910) *Confirmation.*)

Royal Assent, 31st March 1911.

v. An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Southampton in connection with their tramway undertaking and for other purposes. (*Southampton Corporation Tramways.*)

Royal Assent, 28th April 1911.

vi. An Act to confer further powers upon the Great Northern Railway Company (Ireland) to vest in that Company the undertaking of the Castleblayney Keady and Armagh Railway Company and for other purposes. (*Great Northern Railway* (*Ireland*).)

Royal Assent, 2nd June 1911.

vii. An Act for incorporating and conferring powers on the Chesham and District Gas Company and for other purposes. (*Chesham and District Gas.*)

viii. An Act to authorise the mayor aldermen and citizens of the city of Coventry to construct street works to extend the limit of the library rate and to make further provision with regard to the health local government and improvement of the city and for other purposes. (*Coventry Corporation.*)

ix. An Act to confer further powers on the Felixstowe and Walton Waterworks Company and for other purposes. (*Felixstowe and Walton Waterworks.*)

x. An Act to empower the Corporation of Warrington to construct bridges street improvements and other works to make further and better provision with regard to the gas and electricity undertakings of the Corporation and the improvement health and local government of the borough and for other purposes. (*Warrington Corporation.*)

xi. An Act to extend the time limited for the compulsory purchase of certain lands and the construction of certain works by the London United Tramways Limited and for other purposes. (*London United Tramways.*)

xii. An Act to extend the time for the sale of certan lands. (*Furness Railway.*)

xiii. An Act for conferring further powers on the Weston-super-Mare Gaslight Company and for other purposes. (*Weston-super-Mare Gas.*)

xiv. An Act to extend the limits of supply of the City of Chichester Gas Company to authorise that Company to raise additional capital and for other purposes. (*Chichester Gas.*)

xv. An Act for amalgamating the undertaking of the Manchester and Milford Railway Company with the undertaking of the Great Western Railway Company and for other purposes. (*Manchester and Milford Railway* (*Vesting*).)

xvi. An Act to authorise the Luton Water Company to acquire additional land by agreement for the general purposes of their undertaking to raise further capital and for other purposes. (*Luton Water.*)

xvii. An Act to rearrange reduce and fix the capital of the London Cemetery Company and to confirm past issues of paid-up shares and issues of shares at a discount and past distributions of capital and dividends and to extend the Company's power to acquire and hold land and for other purposes. (*London Cemetery Company.*)

xviii. An Act to authorise the Swinton Urban District Council to construct additional waterworks and for other purposes. (*Swinton Urban District Council.*)

xix. An Act to extend the time for the compulsory purchase of lands and for the completion of the railways and works of the Seaforth and Sefton Junction Railway Company to provide for the leasing of the said railways to the Great Central and Great Northern Railway Companies jointly and for other purposes. (*Seaforth and Sefton Junction Railway.*)

xx. An Act to authorise the urban district council of Slough to purchase the undertaking of the Slough Waterworks Company and to supply water within the urban district of Slough and the neighbourhood thereof and for other purposes in connexion therewith. (*Slough Urban District Water.*)

xxi. An Act to further extend the period for taking lands and for the construction of street works and a tramway authorised by the Dover Corporation Act 1901 and for other purposes. (*Dover Corporation.*)

xxii. An Act to authorise the Hebburn Urban District Council to construct a new street in their district and to make further provision in regard to the health local government and improvement of the district and for other purposes. (*Hebburn Urban District Council.*)

xxiii. An Act to provide for the constitution and incorporation of a Board of Conservators for the preservation maintenance and improvement of the Upper Medway to acquire the undertaking of the Medway (Upper) Navigation Company and for other purposes. (*Upper Medway Navigation and Conservancy.*)

xxiv. An Act for amending Charles Sheils' Almshouses Charity Act 1864 Charles Sheils' Almshouses Charity Act 1866 and Charles Sheils' Charity Act 1875. (*Charles Sheils' Charity.*)

xxv. An Act to confer further powers on the Western Valleys (Monmouthshire) Sewerage Board. (*Western Valleys (Monmouthshire) Sewerage Board.*)

xxvi. An Act to incorporate the Ely Rural District Water Company and to confer powers upon that Company in connexion with the supply of water. (*Ely Rural District Water.*)

xxvii. An Act to authorise the Port of London Authority to acquire compulsorily lands in the city of London and for other purposes. (*Port of London.*)

xxviii. An Act to sanction and confirm the construction of works and to authorise the construction of additional works in relation to their water undertaking by the Corporation of Blackburn to amend and extend former Acts relating to the borough of Blackburn to confer further powers with respect to the supply of water to authorise the Corporation to borrow money and for other purposes. (*Blackburn Corporation Water.*)

xxix. An Act to empower the London Electric Railway Company to construct new railways and for other purposes. (*London Electric Railway.*)

xxx. An Act to confer further powers on the mayor aldermen and burgesses of Sligo with regard to borrowing and for other purposes. (*Sligo Corporation.*)

xxxi. An Act to incorporate a Joint Committee of the Metropolitan District Railway Company and the London Electric Railway Company and to empower it to purchase the generating station of the Underground Electric Railways Company of London Limited at Lots Road Chelsea and to raise money therefor and to lease the same to the Metropolitan District Railway Company and the London Electric Railway Company and to authorise the Metropolitan District Railway Company to construct new railways and for other purposes. (*Metropolitan District Railway.*)

xxxii. An Act to confer further powers upon the Tamworth Gaslight and Coke Company. (*Tamworth Gas.*)

P. xxxiii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the St. Andrew's Ambulance Association. (*St. Andrew's Ambulance Association Order Confirmation.*)

P. xxxiv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Christ Church Glasgow. (*Christ Church Glasgow Order Confirmation.*)

P. xxxv. An Act to confirm a Provisional Order of the Local Government Board relating to Bath. (*Local Government Board's Provisional Order* (1910) *Confirmation* (*No.* 12).)

P. xxxvi. An Act to confirm a Provisional Order of the Local Government Board relating to Birmingham. (*Local Government Board's Provisional Order* (1910) *Confirmation* (*No.* 13).)

P. xxxvii. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Provisional Order (Marriages) Act 1905. (*Provisional Order* (*Marriages*) *Confirmation.*)

ROYAL ASSENT, 29th June 1911.

P. xxxviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dundee Water. (*Dundee Water Order Confirmation.*)

xxxix. An Act to confer further powers upon the Corporation of the county borough of Hastings with respect to the water supply to the borough and to authorise the Corporation to construct additional waterworks and borrow money and to make provision as to the audit of the accounts of the Corporation and for other purposes. (*Hastings Corporation* (*Water and Finance*).)

xl. An Act to authorise the London Brighton and South Coast Railway Company to provide and work steam and other vessels between Newhaven and certain continental ports and places and for other purposes. (*London Brighton and South Coast Railway* (*Steam Vessels*).)

xli. An Act for conferring further powers upon the Luton Gas Company. (*Luton Gas.*)

xlii. An Act to confer further powers upon the Enfield Gas Company. (*Enfield Gas.*)

xliii. An Act to confer further powers upon the Rhymney Railway Company for the construction of works the acquisition of additional lands and for other purposes. (*Rhymney Railway.*)

xliv. An Act to authorise the enlargement of certain cemeteries in the city of Bristol to confer further powers upon the lord mayor aldermen and burgesses of that city in relation to their dock undertaking and for other purposes. (*Bristol Corporation.*)

xlv. An Act to authorise the Chesterfield Gas and Water Board to make new waterworks and for other purposes. (*Chesterfield Gas and Water Board.*)

xlvi. An Act to authorise the acquisition by the Gas Light and Coke Company of the undertakings of the Barking Gas Company and the Chigwell Loughton and Woodford Gas Company to confer further powers on the Gas Light and Coke Company and for other purposes. (*Gas Light and Coke Company's.*)

xlvii. An Act to authorise the transfer to the Metropolitan Electric Supply Company Limited of the Electrical Undertaking of the Urban District Council of Acton and for other purposes. (*Metropolitan Electric Supply Company (Acton District).*)

xlviii. An Act for confirming the construction of a pier and works known as the Rhôs-on-Sea Pier and authorising the construction of new works and conveniences connected therewith and for other purposes. (*Rhôs-on-Sea Pier.*)

xlix. An Act to sanction and confirm the construction by the West Cheshire Water Company of existing works in the hundred of Wirral and county of Chester to authorise that Company to raise additional capital and for other purposes. (*West Cheshire Water.*)

l. An Act to sanction and confirm the construction by the Wirral Waterworks Company of existing works to authorise that Company to raise additional capital and for other purposes. (*Wirral Waterworks.*)

li. An Act to authorise the Trustees of the Clyde Navigation to construct a tidal dock graving dock and other works on the River Clyde at Renfrew to borrow additional money and for other purposes. (*Clyde Navigation.*)

lii. An Act to enlarge the time for the construction of certain works authorised by the Harrogate Water Act 1901 to confer further powers upon the mayor aldermen and burgesses of the borough of Harrogate in regard to their water undertaking and for other purposes. (*Harrogate Corporation Water.*)

Royal Assent, 18th August 1911.

liii. An Act for incorporating and conferring powers on the Ashborne Gas Company. (*Ashborne and District Gas.*)

liv. An Act to authorise the Paignton Urban District Council to construct additional waterworks to make further provision with respect to the water supply and local government of the district and for other purposes. (*Paignton Urban District Council.*)

lv. An Act to authorise the South Lancashire Tramways Company to construct additional tramways and other works and for other purposes. (*South Lancashire Tramways.*)

lvi. An Act to empower the Manchester Ship Canal Company to construct a pier or jetty to confer further powers upon that Company and for other purposes. (*Manchester Ship Canal.*)

lvii. An Act to amend and consolidate the enactments relating to the abstraction of water from the River Thames by the Metropolitan Water Board and the payments made by that board to the Conservators of the River Thames and for other purposes. (*Thames Conservancy.*)

lviii. An Act for conferring further powers upon the Southampton Harbour Board and for other purposes. (*Southampton Harbour.*)

lix. An Act to dissolve and reincorporate the Chasetown Gas Company Limited and for other purposes. (*Chasetown Gas.*)

lx. An Act to confer further powers on the London Brighton and South Coast Railway Company to make provision with respect to the construction of a subway at Norwood Junction in the county borough of Croydon and for other purposes. (*London Brighton and South Coast Railway.*)

lxi. An Act to transfer to and vest in the Council of the urban district of Oystermouth the undertaking of the Oystermouth and District Waterworks Company Limited to authorise the Council to maintain the existing waterworks and construct new works and to supply water within the urban district of Oystermouth and adjacent places and for other purposes. (*Oystermouth Urban District Council* (*Water*).)

lxii. An Act to extend the objects of and confer further powers on Lloyd's and to amend Lloyd's Act 1871. (*Lloyd's.*)

lxiii. An Act to make provision with respect to the superannuation of certain members of the staff of the London County Council to extend the time limited for the construction of certain authorised works to make further provisions with respect to matters of local government and for other purposes. (*London County Council* (*General Powers*).)

lxiv. An Act for conferring further powers upon the Corporation of Northampton with reference to their tramway undertaking to authorise the construction of street widenings and to make better provision for the health local government and finance of the borough of Northampton and for other purposes. (*Northampton Corporation.*)

lxv. An Act to transfer to the mayor aldermen and burgesses of the borough of Widnes the undertaking of the Widnes and Runcorn Bridge Company and to confer powers on them with respect thereto and for other purposes. (*Widnes and Runcorn Bridge* (*Transfer*).)

lxvi. An Act to incorporate and confer powers on the Chapel Whaley and District Gas Company and for other purposes. (*Chapel Whaley and District Gas.*)

lxvii. An Act to confer powers upon the corporation of Winchester in relation to their acquisition of the undertaking of the Winchester Electric Light and Power Company Limited and to the supply of electricity and for other purposes in connexion therewith. (*Winchester Corporation* (*Electric Supply*).)

lxviii. An Act for incorporating and conferring powers on the Sidmouth Gas and Electricity Company. (*Sidmouth Gas and Electricity.*)

lxix. An Act to incorporate the Star Life Assurance Society under the name of "The Star Assurance Society" to provide for the management of its affairs and to confer further powers on the Society and for other purposes. (*Star Assurance Society's.*)

lxx. An Act to extend the periods for the compulsory purchase of lands for and for the construction and completion of the graving dock and works authorised by the Dover Graving Dock Act 1908. (*Dover Graving Dock.*)

lxxi. An Act to confer further powers upon the Liverpool Overhead Railway Company with respect to their loan capital and for other purposes. (*Liverpool Overhead Railway.*)

lxxii. An Act to authorise the Alexandra (Newport and South Wales) Docks and Railway Company to construct new railways in the county of Monmouth to raise additional capital and for other purposes. (*Alexandra* (*Newport and South Wales*) *Docks and Railway.*)

lxxiii. An Act to authorise the Metropolitan Railway Company to construct a widening of their railway and a subway for foot passengers and for other purposes. (*Metropolitan Railway.*)

lxxiv. An Act to extend the time limited for the completion of certain works to enable the Milford Docks Company to acquire lands compulsorily and for other purposes. (*Milford Docks.*)

lxxv. An Act to empower the London and South Western Railway Company to construct new street and other works and to acquire additional lands to authorise the abandonment of existing works of the Company and the South Eastern Railway Company to confer further powers on the Company and other companies in respect of superfluous lands to provide for the transfer to the Company of the undertaking of the Budleigh Salterton Railway Company and for other purposes. (*South Western Railway.*)

lxxvi. An Act to revive and extend the powers for the acquisition of lands and to extend the time for the construction of certain authorised tramways of the Bristol Tramways and Carriage Company Limited and for other purposes. (*Bristol Tramways.*)

lxxvii. An Act to authorise the Chester Waterworks Company to construct new works to sanction and confirm the construction of existing works to raise additional capital and to consolidate their existing capital and for other purposes. (*Chester Waterworks.*)

lxxviii. An Act to confer upon the Hornsea Urban District Council powers in relation to the Promenade Gardens and to make further provision for the water supply local government health and improvement of the district. (*Hornsea Urban District Council.*)

lxxix. An Act to authorise the Great Northern Railway Company to construct new railways and works and to acquire lands and to confer further powers upon that Company to authorise the construction of works at Peterborough by the Great Northern Railway Company to authorise the construction of widenings and other works and the acquisition of lands by the Great Northern Railway Company and the Great Central Railway Company to confirm the purchase of certain lands by the Great Northern and Great Eastern Joint Committee to authorise the acquisition by the Great Northern Railway Company of the undertaking of the Muswell Hill and Palace Railway Company and for other purposes. (*Great Northern Railway.*)

lxxx. An Act to consolidate with amendments the Acts relating to the harbour of Dundee and the Tay Ferries to reconstitute and re-incorporate the trustees and for other purposes. (*Dundee Harbour and Tay Ferries Consolidation.*)

lxxxi. An Act for conferring further powers upon the urban district council of Handsworth with reference to their tramway undertaking to authorise the construction of new streets and widenings and for other purposes. (*Handsworth Urban District Council.*)

lxxxii. An Act to confer further powers on the Marple Urban District Council with regard to their gas undertaking and for other purposes. (*Marple Urban District Council Gas.*)

lxxxiii. An Act to empower the Central London Railway Company to construct new railways to authorise arrangements between the Company and the Great Western Railway Company and for other purposes. (*Central London Railway.*)

lxxxiv. An Act to authorise the transfer to the Corporation of the City of London of moneys forming part of the trophy tax to confer further powers on the Corporation in reference to Bunhill Fields Burial Ground and in reference to the working of the tramway of the Corporation authorised by the Foreign Cattle Market Deptford Act 1898 to confer further powers on the Corporation with respect to the control of streets and structures in streets and buildings and in reference to repair of streets to enable the Corporation to enter into agreements with the Stepney Borough Council in reference to the special rate leviable in the city under the Great Tower Hill Act 1869 to make further provisions for the health and good government of the city to empower the Corporation to borrow money and for other purposes. (*City of London (Various Powers).*)

lxxxv. An Act for empowering the Great Western Railway Company to construct new railways in the counties of Glamorgan and Carmarthen and for other purposes. (*Great Western Railway.*)

lxxxvi. An Act to confer further powers upon the mayor aldermen and citizens of the city and county of Kingston-upon-Hull in regard to their tramway and water undertakings and for other purposes. (*Kingston-upon-Hull Corporation.*)

lxxxvii. An Act to confirm and give effect to an agreement for the acquisition by the mayor aldermen and burgesses of the borough of Luton of the franchises and rights of market and market tolls and right of holding fairs of the lord of the manor of Luton to authorise the removal of the existing market to make further provision with regard to the health local government and improvement of the borough and for other purposes. (*Luton Corporation.*)

lxxxviii. An Act to authorise the Nottinghamshire and Derbyshire Tramways Company to acquire additional lands for road widenings and improvements in connection with their authorised tramways to revive the powers and extend the time for the purchase of lands and for the construction and completion of certain tramways and works authorised by the Nottinghamshire and Derbyshire Tramways Act 1903 extension of time for the purchase of lands for the further tramways and works authorised by the Nottinghamshire and Derbyshire Tramways Act 1908 abandonment of certain tramways authorised by the Act of 1903 and for other purposes. (*Nottinghamshire and Derbyshire Tramways.*)

lxxxix. An Act to vest Kingston-upon-Thames Bridge together with the Bridge Estate Charity in the county councils of the administrative counties of Middlesex and Surrey to empower those Councils to widen the bridge and to widen and improve the approaches thereto at each end thereof and to execute other works in connection therewith and for other purposes. (*Kingston-upon-Thames Bridge.*)

xc. An Act to extend the time for the construction of the railway authorised by the Penllwyn Railway Act 1906 and for other purposes. (*Penllwyn Railway.*)

xci. An Act to extend the time for the construction of certain authorised tramways of the Imperial Tramways Company Limited and to revive the powers and extend the time for the acquisition of lands in connection therewith and for other purposes. (*Middlesbrough Stockton-on-Tees and Thornaby Tramways.*)

xcii. An Act to empower the Corporation of Gloucester to construct additional waterworks and street improvements to confer further powers with respect to markets and the supply of electricity and to make better provision for the health local government and improvement of the city and for other purposes. (*Gloucester Corporation.*)

xciii. An Act to empower the Metropolitan Electric Tramways Limited to construct a bridge over the Old River Lee and new tramways and other works to widen certain streets and roads and for other purposes. (*Metropolitan Electric Tramways.*)

xciv. An Act to confer additional powers upon the North Eastern Railway Company for the construction of new railways and other works and the acquisition of lands and for other purposes. (*North Eastern Railway.*)

xcv. An Act to enable the Barry Railway Company to construct railways in the county of Monmouth and for other purposes. (*Barry Railway.*)

xcvi. An Act to confer further powers upon the London Tilbury and Southend Railway Company with respect to the electrical working of their railways and otherwise. (*London Tilbury and Southend Railway.*)

xcvii. An Act to empower the Corporation of Merthyr Tydfil to construct additional waterworks and to make further provision in regard to their water undertaking and for other purposes. (*Merthyr Tydfil Corporation Water.*)

xcviii. An Act for conferring further powers on the Swansea Gas Light Company. (*Swansea Gas.*)

xcix. An Act to alter the constitution of the Great Yarmouth Port and Haven Commissioners to authorise the Commissioners to construct a dock and other works to acquire the fish wharf undertaking of the corporation of Great Yarmouth to acquire lands and for other purposes. (*Great Yarmouth Port and Haven.*)

c. An Act to confer additional powers upon the Midland Railway Company for the construction of works and upon that Company the Midland and Great Northern Railways Joint Committee and the Cheshire Lines Committee for the acquisition of lands and for other purposes. (*Midland Railway.*)

ci. An Act to provide for the granting of superannuation allowances to the officers and pensions to the servants of the Council of the metropolitan borough of Paddington and for other purposes. (*Paddington Borough Council (Superannuation and Pensions).*)

cii. An Act to provide for the granting of superannuation allowances to the officers and pensions to the servants of the Council of the metropolitan borough of Poplar and for other purposes. (*Poplar Borough Council (Superannuation and Pensions).*)

ciii. An Act to authorise the Rhondda Urban District Council to construct additional waterworks and to confer further powers upon the Council in regard to their water undertaking and the supply of electricity and for other purposes. (*Rhondda Urban District Council.*)

civ. An Act to extend the boundaries of the city and royal burgh of Dunfermline to authorise the provost magistrates and councillors of the said burgh to construct and maintain sewers drains and works to acquire lands for those purposes to hold and use lands for gasworks to alter the tenure of the office of town clerk to alter the limit of the public libraries rate and for other purposes. (*Dunfermline Burgh Extension and Drainage.*)

cv. An Act to authorise the mayor aldermen and burgesses of the borough of Ipswich to construct additional waterworks and to make further provision in regard to their water undertaking and the health local government and improvement of the borough and for other purposes. (*Ipswich Corporation.*)

cvi. An Act to empower the London County Council to construct and work new tramways to alter and reconstruct existing tramways and to make street improvements and other works and for other purposes. (*London County Council* (*Tramways and Improvements*).)

cvii. An Act to authorise the Urban District Council of Woking to exercise some of the powers contained in the Act 18 Geo. III. c. lxxv. as regards certain bridges vested in the company of proprietors of the Basingstoke Canal Navigation and for other purposes. (*Woking Urban District Council* (*Basingstoke Canal*).)

cviii. An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Manchester with reference to the construction of street works tramways and main drainage works and otherwise for the better local government and improvement of the city and for other purposes. (*Manchester Corporation.*)

cix. An Act to enable the Urban District Council of Aberdare to construct tramways and run trolley cars by railless traction to make street improvements and to confer other powers upon the Council. (*Aberdare Urban District Council.*)

cx. An Act to empower the Brighton Hove and Preston United Omnibus Company Limited to work their omnibuses by means of railless traction and for other purposes. (*Brighton Hove and District Railless Traction.*)

cxi. An Act for transferring to the South East Kent Electric Power Company Limited certain of the powers of the Kent Electric Power Company and for other purposes. (*East Kent Electric Power.*)

cxii. An Act to authorise the Urban District Council of Chiswick to construct street improvements and a river wall and other works to provide motor vehicles to provide for the regulation of the commons and for the extension of the district and to make further and better provision for the improvement and local government of the district and for other purposes. (*Chiswick Urban District Council.*)

cxiii. An Act to confer powers on the mayor aldermen and burgesses of the county borough of Halifax for the construction of tramways street works and waterworks and to make further and better provision with regard to the water and other undertakings of the corporation and the health local government and improvement of the borough and for other purposes. (*Halifax Corporation.*)

cxiv. An Act to regulate the expenditure of money by the London County Council on capital account during the current financial period and the raising of money to meet such expenditure and for other purposes. (*London County Council (Money).*)

cxv. An Act to empower the urban district council of Margam to supply gas and to provide for the transfer to the Council of so much of the gas undertaking of the Aberavon Corporation as is situate within the urban district of Margam and to make further and better provision with regard to the improvement health and local government of the district and for other purposes. (*Margam Urban District Council.*)

cxvi. An Act for conferring further powers upon the Corporation of Rotherham with reference to their tramway water gas and other undertakings to authorise the construction of street widenings and to make better provision for the health local government and finance of the borough of Rotherham and for other purposes. (*Rotherham Corporation.*)

cxvii. An Act to confirm the constitution of the mayor aldermen and burgesses of the borough of St. Helens as the burial board of the borough of St. Helens and township of Windle to make further provision in regard to the granting of superannuation allowances to officers of the Corporation to make further provision in regard to their gas water and electricity undertakings and the health local government and improvement of the borough and for other purposes. (*St. Helens Corporation.*)

cxviii. An Act to empower the Metropolitan Water Board to make waterworks and other works and to acquire lands and for other purposes. (*Metropolitan Water Board (New Works).*)

cxix. An Act to enable the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne to construct and work additional tramways in and adjacent to the city to make new streets and to acquire lands to alter the style and title of the Corporation to make further provisions with reference to the Corporation superannuation fund to make provisions as to the Town Moor and the quays of the Corporation to enable the Corporation to raise further money and to confer various further powers upon the Corporation in relation to the health and good government of the city and for other purposes. (*Newcastle-upon-Tyne Corporation.*)

cxx. An Act to empower the Corporation of London to construct a new bridge over the River Thames between Blackfriars and Southwark Bridges to rebuild Southwark

Bridge and to confer other powers upon them with respect to those and other bridges and for other purposes. (*Corporation of London* (*Bridges*).)

P. cxxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Inverness Harbour. (*Inverness Harbour Order Confirmation.*)

P. cxxii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dumbarton Churchyard. (*Dumbarton Churchyard Order Confirmation.*)

P. cxxiii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Chambers Institution Peebles. (*Chambers Institution Peebles Order Confirmation.*)

P. cxxiv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Corporation. (*Aberdeen Corporation Order Confirmation.*)

P. cxxv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the North British Railway (Superannuation Fund &c.). (*North British Railway* (*Superannuation Fund &c.*) *Order Confirmation.*)

P. cxxvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dunfermline and District Tramways. (*Dunfermline and District Tramways Order Confirmation.*)

P. cxxvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Suburban Electric Tramways. (*Edinburgh Suburban Electric Tramways Order Confirmation.*)

P. cxxviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Paisley District Tramways. (*Paisley District Tramways Order Confirmation.*)

P. cxxix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Partick Burgh. (*Partick Burgh Order Confirmation.*)

P. cxxx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Wellpark (Glasgow) Church and Parish Quoad Sacra. (*Wellpark* (*Glasgow*) *Church and Parish Quoad Sacra Order Confirmation.*)

P. cxxxi. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the County Borough of Waterford and the Counties of Kilkenny Tipperary (North Riding) and Waterford. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 1).*)

P. cxxxii. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to King's County and the County of Kildare and the Rural Districts of Ballyshannon Loughrea and Tralee. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 2).*)

P. cxxxiii. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Blackrock and Donaghadee. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 3).*)

P. cxxxiv. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the Parishes of Minsterworth and Highnam Over and Linton in the County of Gloucester. (*Land Drainage Provisional Order Confirmation.*)

P. cxxxv. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the Parishes of West Butterwick Owston and Belton in the County of Lincoln. (*Land Drainage Provisional Order Confirmation (No. 2).*)

P. cxxxvi. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the Parishes of Billingborough and Birthorpe (detached) in the County of Lincoln. (*Land Drainage Provisional Order Confirmation (No. 3).*)

P. cxxxvii. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Metropolitan Police Act 1886. (*Metropolitan Police Provisional Order Confirmation.*)

P. cxxxviii. An Act to confirm a Provisional Order under the Salmon and Freshwater Fisheries Act 1907 relating to the River Derwent and other waters. (*Derwent Fisheries Provisional Order Confirmation.*)

P. cxxxix. An Act to confirm an Order under the Salmon and Freshwater Fisheries Act 1907 relating to the River Severn and other waters. (*Severn Fisheries Provisional Order* (1910) *Confirmation.*)

P. cxl. An Act to confirm certain Provisional Orders of the Local Government Board relating to Fulwood Scarborough Sowerby Bridge and Stockton-on-Tees. (*Local Government Board's Provisional Orders Confirmation (No. 1).*)

P. cxli. An Act to confirm certain Provisional Orders of the Local Government Board relating to Brighton Epsom (Rural) Exeter Liverpool Pontypridd and the East Dean and United Districts Joint Hospital District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 2).)

P. cxlii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Farnworth Padiham Plymouth Skipton and Weston-super-Mare. (*Local Government Board's Provisional Orders Confirmation* (*No.* 3).)

P. cxliii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Acton Torquay Tottenham Wolverhampton and the Whaley Bridge Joint Sewerage District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 4).)

P. cxliv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Burnley and Bury. (*Local Government Board's Provisional Orders Confirmation* (*No.* 5).)

P. cxlv. An Act to confirm certain Provisional Orders of the Local Government Board relating to East Westmorland (Rural) Ilfracombe Leigh-on-Sea and Windermere. (*Local Government Board's Provisional Orders Confirmation* (*No.* 6).)

P. cxlvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to Burton-upon-Trent Colwyn Bay and Colwyn Kingston-upon-Thames Leigh and Northallerton. (*Local Government Board's Provisional Orders Confirmation* (*No.* 8).)

P. cxlvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the district of the Accrington District Gas and Water Board the Middlesex Districts Joint Small-pox Hospital District the South Staffordshire Joint Small-pox Hospital District and the Swansea Rural District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 9).)

P. cxlviii. An Act to confirm a Provisional Order of the Local Government Board relating to Reading. (*Local Government Board's Provisional Order Confirmation* (*No.* 11).)

P. cxlix. An Act to confirm certain Provisional Orders of the Local Government Board relating to Hereford Lancaster and Sudbury and the Birmingham Tame and Rea Main Sewerage and the Peterborough Joint Cemetery Districts. (*Local Government Board's Provisional Orders Confirmation* (*No.* 14).)

P. cl. An Act to confirm a Provisional Order of the Local Government Board relating to Milford Haven. (*Local Government Board's Provisional Order Confirmation* (*No.* 15).)

P. cli. An Act to confirm certain Provisional Orders of the Local Government Board relating to Cudworth and Liverpool. (*Local Government Board's Provisional Orders Confirmation* (*Gas*).)

P. clii. An Act to confirm a Provisional Order of the Local Government Board relating to Droitwich. (*Local Government Board's Provisional Order Confirmation* (*Gas*) (*No.* 2).)

P. cliii. An Act to confirm a Scheme approved and certified by the Board of Education under the Charitable Trusts Act 1853 relating to the yearly payment out of the Corporation Funds to the Corporation Schools in the Borough of Alnwick under section seven of the Alnwick Corporation Act 1882. (*Board of Education Scheme* (*Alnwick Corporation Payment*) *Confirmation.*)

P. cliv. An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1907 to enable the Councils of the Administrative Counties of Durham Montgomery and Worcester and the Urban District of Willesden to put in force the Lands Clauses Acts. (*Education Board Provisional Orders Confirmation* (*Durham, &c.*).)

P. clv. An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1907 to enable the London County Council to put in force the Lands Clauses Acts. (*Education Board Provisional Orders Confirmation* (*London*).)

P. clvi. An Act to confirm two Provisional Orders under the Drainage and Improvement of Lands (Ireland) Acts 1863 to 1892 relating to the Curraghtown Drainage District in the county of Meath and the Akeragh Lough Drainage District in the county of Kerry. (*Drainage and Improvement of Lands* (*Ireland*) *Supplemental.*)

P. clvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Banff Gardenstown and Port Gordon. (*Pier and Harbour Orders Confirmation* (*No.* 1).)

P. clviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Brighton Portsmouth and Southend-on-Sea. (*Pier and Harbour Orders Confirmation* (*No.* 2).)

P. clix. An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Cullen. (*Pier and Harbour Order Confirmation* (*No.* 3).)

P. clx. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Accrington (Extension) Aldeburgh Ashford Blandford Forum Budleigh Salterton Carlisle (Extension) Chichester (Extension) Cirencester Leominster and Newcastle-upon-Tyne (Extension). (*Electric Lighting Orders Confirmation* (*No.* 1).)

P. clxi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Macclesfield Pateley Bridge Portishead and District Rhondda Salisbury (Extension) Wimbledon (Extension) and Witney. (*Electric Lighting Orders Confirmation*) (*No.* 2).)

P. clxii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 relating to Alloa (Extension) the County of Fife (certain Burghs and Parishes) and Grangemouth (Amendment). (*Electric Lighting Orders Confirmation* (*No.* 3).)

P. clxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Chepping Wycombe (Extension) Harrow and District Sandwich Deal and Walmer and Sevenoaks. (*Electric Lighting Orders Confirmation* (*No.* 4).)

P. clxiv. An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Donaghadee. (*Electric Lighting Order Confirmation* (*No.* 5).)

P. clxv. An Act to confirm a Provisional Order made by the Board of Trade under the Port of London Act 1908 relating to the definition of dues for the purposes of the first election of members of the Port of London Authority under that Act. (*Port of London* (*First Election of Members*) *Provisional Order.*)

P. clxvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Alfreton Gas Barnstaple Gas Burnham Gas and Launceston Gas. (*Gas Orders Confirmation* (*No.* 1).)

P. clxvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Cannock Gas Clay Cross Gas Hythe and Sandgate Gas Lichfield Gas and Witney and District Gas. (*Gas Orders Confirmation* (*No.* 2).)

P. clxviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Holyhead Gas Llangefni Gas Llanrwst Gas and Pwllheli Gas. (*Gas Orders Confirmation* (*No.* 3).)

P. clxix. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Busby and District Gas Longford Gas Preston Gas and Uxbridge Gas. (*Gas Orders Confirmation* (*No.* 4).)

P. clxx. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Blandford Water Gisborough Water North Pembrokeshire Water and Gas Sheringham Gas and Water and West Gloucestershire Water. (*Gas and Water Orders Confirmation.*)

P. clxxi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Dartford and District Tramways and Dewsbury Corporation Tramways. (*Tramways Orders Confirmation.*)

ROYAL ASSENT, 16th December 1911.

P. clxxii. An Act to amend the Salford Hundred Court of Record Act 1868. (*Salford Hundred Court of Record.*)

P. clxxiii. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity consisting of the Particular Baptist Chapel Burial Ground and Trust Property in Townhead Street in the city of Sheffield. (*Townhead Street* (*Sheffield*) *Baptist Chapel Scheme Confirmation.*)

P. clxxiv. An Act to confirm a Scheme of the Charity Commissioners for the application and management of the Charity in the city and county of Gloucester consisting of the yearly sum of eighty pounds applicable towards the reparation of the Bridge and Causeway lying between the said city and the village of Over. (*Bridge and Causeway* (*Gloucester*) *Charity Scheme Confirmation.*)

P. clxxv. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity consisting of the fund representing the net proceeds of the sale of the Particular Baptist Chapel which was situated at Birkby in the Parish of Huddersfield in the West Riding of the County of York. (*Birkby Baptist Chapel Scheme Confirmation.*)

P. clxxvi. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity consisting of the Chapel known as Wesley Chapel in the Parish of Humberstone in the County of Leicester. (*Humberstone Wesley Chapel Scheme Confirmation.*)

P. clxxvii. An Act to confirm a Scheme of the Charity Commissioners for the application or management of (1) the Charity of John Walkley and the Charity of Edward Dean which were endowments of the former Chapel of St. John the Baptist in Epping in the County of Essex and (2) the Ecclesiastical Charity of Thomas Loft. (*Epping Chapel Endowment Scheme Confirmation.*)

P. clxxviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Stonehaven Harbour. (*Stonehaven Harbour Order Confirmation.*)

P. clxxix. An Act to confirm a Provisional Order under the Inclosure Acts 1845 to 1899 relating to Burrington Commons in the County of Somerset. (*Commons Regulation (Burrington) Provisional Order Confirmation.*

P. clxxx. An Act to confirm a Provisional Order under the Inclosure Acts 1845 to 1899 relating to Winton and Kaber Commons in the County of Westmorland and the North Riding of the County of York. (*Commons Regulation (Winton and Kaber) Provisional Order Confirmation.*)

P. clxxxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Kelso Water. (*Kelso Water Order Confirmation.*)

P. clxxxii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Glasgow and South Western Railway. (*Glasgow and South Western Railway Order Confirmation.*)

P. clxxxiii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Lerwick Harbour. (*Lerwick Harbour Order Confirmation.*)

P. clxxxiv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Christchurch and Sheffield. (*Local Government Board's Provisional Orders Confirmation (No. 7).*)

P. **clxxxv.** An Act to confirm certain Provisional Orders of the Local Government Board relating to Cambridge and Southport. (*Local Government Board's Provisional Orders Confirmation* (*No.* 10).)

P. **clxxxvi.** An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Ullapool. (*Pier and Harbour Order Confirmation* (*No.* 4).)

clxxxvii. An Act to constitute a drainage district in the Isle of Ely to incorporate and confer powers upon a drainage board for that district to make provisions with respect to the sewerage of part of the said district to empower the said board to supply water within that part of the said district and for other purposes. (*Thorney Drainage.*)

clxxxviii. An Act for transferring to the Ecclesiastical Commissioners certain endowments of the rectory of Saint Mary Radcliffe in the County Palatine of Lancaster and for providing for the re-endowment of the said rectory and for the transfer of the advowson to the See of Manchester and for the application of the income and capital of the transferred endowments and for other ecclesiastical purposes. (*Saint Mary Radcliffe Rectory.*)

clxxxix. An Act for transferring to the Ecclesiastical Commissioners certain endowments of the rectory of Saint Mary Prestwich in the County Palatine of Lancaster and for providing for the re-endowment of the said rectory and for the transfer of the advowson to the See of Manchester and for the application of the income and capital of the transferred endowments and for other ecclesiastical purposes. (*Saint Mary Prestwich Rectory.*)

cxc. An Act to enable the lord mayor aldermen and citizens of the city of Belfast to construct and work additional tramways in the city to make street improvements to construct works and exercise powers for prevention of flooding to acquire lands to make provisions for the better control of persons practising midwifery in the city to establish a textile testing-house to enable the Corporation to raise further money and to confer various further powers upon the Corporation with respect to streets and buildings in the city and in relation to sanitary matters and the health and good government of the city and for other purposes. (*Belfast Corporation.*)

PRIVATE ACT.

Printed by the King's Printer, and whereof the Printed Copies may be given in evidence.

Royal Assent, 18th August 1911.

1. An Act to enable the trustees of the marriage settlement of Agatha Lady Westbury to raise certain moneys out of the capital moneys subject to such settlement and to use and apply the same in the payment off and discharge of certain debts and mortgages of or created by her son the Honourable Richard Bethell and to confirm and make valid a resettlement of the residue of such capital moneys and for other purposes. (*Westbury Estate.*)

PRIVATE ACTS.

Not Printed.

Royal Assent, 16th December 1911.

An Act to remove doubts as to the nationality of Richard Maximilian Baron Acton and his issue. (*Lord Acton's Nationality.*)

An Act to dissolve the marriage of Josephine Turner Maxwell of Crinken Abbey Shankill in the county of Dublin with Henry Pendleton Maxwell her husband and to enable her to marry again and for other purposes. (*Maxwell's Divorce.*)

An Act to dissolve the marriage of Alexander John McDonnell Pilkington of 14 Herbert Place in the city of Dublin in Ireland Esquire with Dorothy Pilkington his wife and to enable him to marry again and for other purposes. (*Pilkington's Divorce.*)

An Act to dissolve the marriage of Herbert Watson of Mount Nephin Newtownbreda in the county of Down in Ireland Esquire Bachelor of Engineering with Rosanna Gertrude Watson his now wife and to enable him to marry again and for other purposes. (*Watson's Divorce.*)

TABLE IIA.

A

TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS (including the PUBLIC ACTS of a Local Character) passed during the Session 1 & 2 GEORGE 5.—A.D. 1911.

ARRANGED ALPHABETICALLY.

Aberdare Urban District Council. c. cix.

Aberdeen Corporation Order Confirmation. c. cxxiv.

Alexandra (Newport and South Wales) Docks and Railway. c. lxxii.

Ashborne and District Gas. c. liii.

Ayrshire (Loch Bradan) Water Distribution Order Confirmation. c. ii.

Barry Railway. c. xcv.

Belfast Corporation. c. cxc.

Birkby Baptist Chapel Scheme Confirmation. c. clxxv.

Blackburn Corporation Water. c. xxviii.

Board of Education Scheme (Alnwick Corporation Payment) Confirmation. c. cliii.

Bridge and Causeway (Gloucester) Charity Scheme Confirmation. c. clxxiv.

Brighton, Hove and District Railless Traction. c. cx.

Bristol Corporation. c. xliv.

Bristol Tramways. c. lxxvi.

Chambers Institution, Peebles, Order Confirmation. c. cxxiii.

Central London Railway. c. lxxxiii.

Chapel Whaley and District Gas. c. lxvi.

Charles Sheils' Charity. c. xxiv.

Chasetown Gas. c. lix.

Chesham and District Gas. c. vii.
Chester Waterworks. c. lxxvii.
Chesterfield Gas and Water Board. c. xlv.
Chichester Gas. c. xiv.
Chiswick Urban District Council. c. cxii.
Christ Church Glasgow Order Confirmation. c. xxxiv.
City of London (Various Powers). c. lxxxiv.
Clyde Navigation. c. li.
Commons Regulation Provisional Orders Confirmation :—
  (Burrington). c. clxxix.
  (Winton and Kaber). c. clxxx.
Corporation of London (Bridges). c. cxx.
Coventry Corporation. c. viii.

Derwent Fisheries Provisional Order Confirmation. c. cxxxviii.
Dover Corporation. c. xxi.
Dover Graving Dock. c. lxx.
Drainage and Improvement of Lands (Ireland) Supplemental. c. clvi.
Dumbarton Churchyard Order Confirmation. c. cxxii.
Dundee Harbour and Tay Ferries Consolidation. c. lxxx.
Dundee Water Order Confirmation. c. xxxviii.
Dunfermline Burgh Extension and Drainage. c. civ.
Dunfermline and District Tramways Order Confirmation. c. cxxvi.

East Kent Electric Power. c. cxi.
Education Board Provisional Orders Confirmation :—
  (Durham, &c.). c. cliv.
  (London). c. clv.
Electric Lighting Orders Confirmation :—
  (No. 1). c. clx.
  (No. 2). c. clxi.
  (No. 3). c. clxii.
  (No. 4). c. clxiii.
  (No. 5). c. clxiv.
Edinburgh Suburban Electric Tramways Order Confirmation. c. cxxvii.
Ely Rural District Water. c. xxvi.
Enfield Gas. c. xlii.
Epping Chapel Endowment Scheme Confirmation. c. clxxvii.

Felixstowe and Walton Waterworks. c. ix.
Furness Railway. c. xii.

Gas Light and Coke Company's. c. xlvi.
Gas and Water Orders Confirmation. c. clxx.
Glasgow and South Western Railway Order Confirmation. c. clxxxii.
Gas Orders Confirmation:—
  (No. 1). c. clxvi.
  (No. 2). c. clxvii.
  (No. 3). c. clxviii.
  (No. 4). c. clxix.
Gloucester Corporation. c. xcii.
Great Northern Railway. c. lxxix.
Great Northern Railway (Ireland). c. vi.
Great Western Railway. c. lxxxv.
Great Yarmouth Port and Haven. c. xcix.

Halifax Corporation. c. cxiii.
Handsworth Urban District Council. c. lxxxi.
Harrogate Corporation Water. c. lii.
Hastings Corporation (Water and Finance). c. xxxix.
Hebburn Urban District Council. c. xxii.
Hornsea Urban District Council. c. lxxviii.
Humberstone Wesley Chapel Scheme Confirmation. c. clxxvi.

Inverness Harbour Order Confirmation. c. cxxi.
Ipswich Corporation. c. cv.
Irvine Burgh Order Confirmation. c. iii.

Kelso Water Order Confirmation. c. clxxxi.
Kingston-upon-Hull Corporation. c. lxxxvi.
Kingston-upon-Thames Bridge. c. lxxxix.

Land Drainage Provisional Orders Confirmation:—
  ——— c. cxxxiv.
  (No. 2). c. cxxxv.
  (No. 3). c. cxxxvi.
Lerwick Harbour Order Confirmation. c. clxxxiii.
Liverpool Overhead Railway. c. lxxi.
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Local Government Board's Provisional Orders Confirmation:—

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(No. 2). c. cxli.
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(No. 15). c. cl.
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Local Government Board (Ireland) Provisional Orders Confirmation:—

(No. 1). c. cxxxi.
(No. 2). c. cxxxii.
(No. 3). c. cxxxiii.

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London, Brighton and South Coast Railway (Steam Vessels). c. xl.

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London and South Western Railway. See South Western Railway.

London, Tilbury and Southend Railway. c. xcvi.

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Lord Acton's Nationality.

Luton Corporation. c. lxxxvii.

Luton Gas. c. xli.

Luton Water. c. xvi.

Manchester Corporation. c. cviii.

Manchester and Milford Railway (Vesting). c. xv.

Manchester Ship Canal. c. lvi.

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Merthyr Tydfil Corporation Water. c. xcvii.

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Metropolitan Police Provisional Order Confirmation. c. cxxxvii.

Metropolitan Railway. c. lxxiii.

Metropolitan Water Board (New Works). c. cxviii.

Middlesbrough, Stockton-on-Tees and Thornaby Tramways. c. xci.

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Milford Docks. c. lxxiv.

Military Lands Provisional Order (1910) Confirmation. c. iv.

Newcastle-upon-Tyne Corporation. c. cxix.

North British Railway (Superannuation Fund, &c.) Order Confirmation. c. cxxv.

North Eastern Railway. c. xciv.

Northampton Corporation. c. lxiv.

Nottinghamshire and Derbyshire Tramways. c. lxxxviii.

Oystermouth Urban District Council (Water). c. lxi.

Paddington Borough Council (Superannuation and Pensions). c. ci.

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Paisley District Tramways Order Confirmation. c. cxxviii.

Partick Burgh Order Confirmation. c. cxxix.

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Pier and Harbour Orders Confirmation:—

(No. 1). c. clvii.
(No. 2). c. clviii.
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(No. 4). c. clxxxvi.

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———— (First Election of Members) Provisional Order. c. clxv.

Provisional Order (Marriages) Confirmation. c. xxxvii.

Rhondda Urban District Council. c. ciii.
Rhôs-on-Sea Pier. c. xlviii.
Rhymney Railway. c. xliii.
Rotherham Corporation. c. cxvi.

St. Andrew's Ambulance Association Order Confirmation. c. xxxiii.
St. Helens Corporation. c. cxvii.
St. Mary Prestwich Rectory. c. clxxxix.
St. Mary Radcliffe Rectory. c. clxxxviii.
Salford Hundred Court of Record. c. clxxii.
Seaforth and Sefton Junction Railway. c. xix.
Severn Fisheries Provisional Order (1910) Confirmation. c. cxxxix.
Sidmouth Gas and Electricity. c. lxviii.
Sligo Corporation. c. xxx.
Slough Urban District Water. c. xx.
Southampton Corporation Tramways. c. v.
Southampton Harbour. c. lviii.
South Lancashire Tramways. c. lv.
South Western Railway. c. lxxv.
Star Assurance Society's. c. lxix.
Stonehaven Harbour Order Confirmation. c. clxxviii.
Swansea Gas. c. xcviii.
Swinton Urban District Council. c. xviii.

Tamworth Gas. c. xxxii.
Thames Conservancy. c. lvii.
Thorney Drainage. c. clxxxvii.
Townhead Street (Sheffield) Baptist Chapel Scheme Confirmation. c. clxxiii.
Tramways Orders Confirmation. c. clxxi.

Upper Medway Navigation and Conservancy. c. xxiii.

Warrington Corporation. c. x.
Watson's Divorce.
Wellpark (Glasgow) Church and Parish Quoad Sacra Order Confirmation. c. cxxx.

West Cheshire Water. c. xlix.
Westbury Estate. c. *i*.
Western Valleys (Monmouthshire) Sewerage Board. c. xxv.
Weston-super-Mare Gas. c. xiii.
Widnes and Runcorn Bridge (Transfer). c. lxv.
Winchester Corporation (Electric Supply). c. lxvii.
Wirral Waterworks. c. l.
Woking Urban District Council (Basingstoke Canal). c. cvii.

TABLE III.

Showing the Effect of the Year's Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 1 & 2 GEO. 5.[*]

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo. 5.
32 Hen. 8. c. 9	Maintenance and Embracery	S. 3 rep. in part	6, s. 17, Sch.
5 Eliz. c. 9	Perjury	Repealed	6, s. 17, Sch.
1 Ann. Stat. 2. c. 9.	Accessories to Feloneys and Receivers of Stolen Goods.	S. 3 rep. in part	6, s. 17, Sch.
1 Geo. 1. Stat. 2. c. 38.	Continuance of Parliaments	S. 1 amended	13, s. 7.
12 Geo. 1. c. 29	Frivolous Arrests	S. 4 rep. in part	6, s. 17, Sch.
2 Geo. 2. c. 25	Perjury	Repealed	6, s. 17, Sch.
8 Geo. 2. c. 13	Engraving Copyright	Repealed (*but see Terms*)	46, s. 36, Sch.
7 Geo. 3. c. 38	Engraving Copyright	Repealed (*but see Terms*)	46, s. 36, Sch.
15 Geo. 3. c. 53	Copyright	Repealed (*but see Terms*)	46, s. 36, Sch.
17 Geo. 3. c. 57	Prints Copyright	Repealed (*but see Terms*)	46, s. 36, Sch.
24 Geo. 3. Sess. 2. c. 25.	East India Company	S. 75 rep. in part as to E.	6, s. 17, Sch.
26 Geo. 3. c. 71	Knackers	S. 4 repealed	27, s. 18, Sch. II.
42 Geo. 3 :			
c. 85	Criminal Jurisdiction	S. 5 rep. as to E. Applied with mods.	6, s. 17, Sch. 28, s. 10 (2).
c. 116	Land Tax Redemption	S. 193 rep. as to E.	6, s. 17, Sch.
48 Geo. 3 :			
c. 55	House Tax	Sch. B. (Case 5) am.	48, s. 15.
c. 149	Probate and Legacy Duties	S. 37 rep. in part as to E.	6, s. 17, Sch.
54 Geo. 3 :			
c. 56	Sculpture Copyright	Repealed (*but see Terms*)	46, s. 36, Sch.
c. 159	Harbours	S. 25 rep. as to E.	6, s. 17, Sch.
56 Geo. 3. c. 46	Civil List Audit	S. 11 repealed	6, s. 17, Sch.
1 & 2 Geo. 4. c. 121	Commissariat Accounts	S. 28 rep. as to E.	6, s. 17, Sch.
3 Geo. 4. c. 114	Hard Labour	S. 1 rep. in part	6, s. 17, Sch.
6 Geo. 4. c. 81	Excise Licences	S. 24 repealed	48, s. 22, Sch.
7 Geo. 4 :			
c. 16	Chelsea and Kilmainham Hospitals.	S. 28 rep. as to E.	6, s. 17, Sch.
c. 46	Country Bankers	S. 18 rep. in part	6, s. 17, Sch.

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[*] Acts continued annually by the Expiring Laws Continuance Act are not noticed in this Table.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo
7 & 8 Geo. 4. c. 53	Excise Management	S. 31 rep. as to E.	6. s. 17. Sch.
10 Geo. 4 :			
c. 24	Government Annuities	S. 44 rep. as to E.	6. s. 17. Sch.
c. 50	Crown Lands	S. 83 rep. as to E.	6. s. 17. Sch.
1 Will. 4. c. 22	Evidence on Commission	S. 7. rep. in part as to E.	6. s. 17. Sch.
1 & 2 Will. 4. c. 32	Game	S. 4 am. as to live game (*but see Terms*).	2. s. 10.
2 & 3 Will. 4. c. 53	Army Prize Money	Ss. 45, and in part 46, 49. rep. as to E.	6, s. 17, Sch.
3 & 4 Will. 4. :			
c. 15	Dramatic Copyright	Repealed (*but see Terms*)	46, s. 36, Sch.
c. 41	Judicial Committee	S. 9 rep. in part as to E.	6, s. 17, Sch.
c. 49	Quakers and Moravians	S. 1 rep. in part as to E.	6, s. 17, Sch.
5 & 6 Will. 4. :			
c. 62	Statutory Declarations	Ss. 5, 21, and in part 12, 18, rep. as to E.	6, s. 17, Sch.
c. 65	Lectures Copyright	Repealed (*but see Terms*)	46, s. 36, Sch.
6 & 7 Will. 4. :			
c. 13	Constabulary (I.)	S. 31 restricted	58.
c. 59	Prints and Engravings Copyright, (I.).	Repealed (*but see Terms*)	46, s. 36, Sch.
c. 71	Tithe	S. 93 rep. in part	6, s. 17, Sch.
c. 86	Births and Deaths Registration.	S. 41 repealed	6, s. 17, Sch.
c. 110	Copyright	Repealed (*but see Terms*)	46. s. 36. Sch.
1 & 2 Vict. :			
c. 23	Parsonages	S. 8 amended	29. s. 2.
c. 77	Quakers and Moravians	S. 1 rep. in part as to E.	6. s. 17, Sch.
c. 105	Oaths	S. 1 rep. in part as to E.	6. s. 17. Sch.
2 & 3 Vict. :			
c. 49	Church Building	S. 14 repealed (*but see Terms*)	29. s. 4.
c. 71	Metropolitan Police Courts	S. 23 repealed	6. s. 17. Sch.
3 & 4 Vict. :			
c. 18.	Tobacco	S. 10 rep. in part as to E.	6. s. 17. Sch.
c. 72	Marriage	S. 4 repealed	6. s. 17. Sch.
c. 86	Church Discipline	S. 18 rep. in part	6. s. 17. Sch.
c. 97	Railway Regulation	S. 4 rep. as to E.	6, s. 17. Sch.
5 & 6 Vict. :			
c. 29	Pentonville Prison	S. 27 rep. as to E.	6. s. 17, Sch.
c. 35	Income Tax	S. 180 rep. as to E.	6. s. 17. Sch.
c. 38	Quarter Sessions	S. 1 (pars. 6, 7) rep.	6, s. 17. Sch.
c. 45	Copyright	Repealed (*but see Terms*)	46, s. 36. Sch.
6 & 7 Vict. c. 18	Parliamentary Voters Registration.	Ss. 41, 81 rep. in part	6, s. 17, Sch.
7 & 8 Vict. :			
c. 12	International Copyright	Repealed (*but see Terms*)	46, s. 36, Sch.
c. 87	Knackers	S. 3 repealed	27, s. 18, Sch. II.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo. 5.
3 & 9 Vict.:			
c. 18	Lands Clauses Consolidation	S. 149 rep. as to E. - -	6, s. 17, Sch.
c. 20	Railways Clauses Consolidation.	S. 160 rep. as to E. - -	6, s. 17, Sch.
c. 118	Inclosure - - - - -	S. 164 rep. in part - -	6, s. 17, Sch.
10 & 11 Vict.:			
c. 14	Markets and Fairs Clauses -	S. 57 rep. as to E. - -	6, s. 17, Sch.
c. 15	Gasworks Clauses - -	S. 44 rep. as to E. - -	6, s. 17, Sch.
c. 16	Commissioners Clauses -	Ss. 13, 108 rep. as to E. -	6, s. 17, Sch.
c. 17	Waterworks Clauses - -	S. 89 rep. as to E. - - Ss. 28, 30–34 applied - -	6, s. 17, Sch. 30, s. 1 (2).
c. 27	Harbours Docks and Piers Clauses.	S. 96 rep. as to E. - -	6, s. 17, Sch.
c. 34	Towns Improvement Clauses	S. 213 rep. as to E. - -	6, s. 17, Sch.
c. 65	Cemeteries Clauses - -	S. 65 rep. as to E. - -	6, s. 17, Sch.
c. 69	House of Commons Costs Taxation.	S. 5 rep. in part as to E. -	6, s. 17, Sch.
c. 89	Town Police Clauses - -	S. 76 rep. as to E. - -	6, s. 17, Sch.
c. 95	Colonial Copyright - -	Repealed (*but see Terms*) -	46, s. 36, Sch.
c. 109	Poor Law Board - - -	S. 26. rep. in part - - -	6, s. 17, Sch.
11 & 12 Vict. c. 46	Criminal Procedure - -	S. 4 rep. in part as to E. -	6, s. 17, Sch.
12 & 13 Vict.:			
c. 45	Quarter Sessions - - -	S. 10 rep. in part - - -	6, s. 17, Sch.
c. 78	House of Lords Costs Taxation.	S. 5 rep. in part as to E. -	6, s. 17, Sch.
c. 92	Cruelty to Animals - -	Rep. so far as not already repealed.	27, s. 18, Sch. II.
14 & 15 Vict.:			
c. 92	Summary Jurisdiction (I.) -	S. 23 appl. with mods. - -	27, s. 17 (1).
c. 100	Criminal Procedure - -	Ss. 1 in part, 19–22 rep. as to E.	6, s. 17, Sch.
15 & 16 Vict.:			
c. 12	International Copyright -	Repealed (*but see Terms*) -	46, s. 36, Sch.
c. 56	Pharmacy - - - -	S. 16 rep. in part as to E. -	6, s. 17, Sch.
c. 57	Election Commissioners -	S. 13 rep. as to E. - -	6, s. 17, Sch.
16 & 17 Vict.:			
c. 45	Government Annuities -	S. 32 rep. as to E. - -	6, s. 17, Sch.
c. 137	Charitable Trusts - - -	S. 13 repealed - - -	6, s. 17, Sch.
17 & 18 Vict.:			
c. 60	Cruelty to Animals - -	Repealed - - - -	27, s. 18, Sch. II.
c. 91	Lands Valuation (S.) - -	S. 31 restricted - - -	53, s. 7 (7).
18 & 19 Vict. c. 40	Public Libraries (I.) - -	S. 8 amended - - -	9, s. 1.
19 & 20 Vict.:			
c. 54	Grand Juries - - -	S. 1 rep. in part - - -	6, s. 17, Sch.
c. 113	Foreign Tribunals Evidence -	S. 3 rep. in part as to E. -	6, s. 17, Sch.
c. 119	Marriage and Registration -	Ss. 2 in part, 18 rep. - -	6, s. 17, Sch.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo. 5.
20 & 21 Vict. c. 85	Matrimonial Causes	S. 50 repealed	6, s. 17, Sch.
21 & 22 Vict. :			
c. 78	Parliamentary Witnesses	S. 3 rep. as to E.	6. s. 17, Sch.
c. 90	Medical	S. 39 rep. as to E. S. 12 restricted	6, s. 17, Sch. 43, s. 4.
c. 106	Government of India	S. 18 amended	25, s. 1.
22 Vict. c. 20	Evidence by Commission	S. 2 rep. as to E.	6. s. 17, Sch.
22 & 23 Vict. c. 17	Vexatious Indictments	S. 1 am. and rep. in part as to E.	6, ss. 11, 17, Sch.
24 & 25 Vict. :			
c. 10	Admiralty Court	S. 26 rep. in part	6. s. 17. Sch.
c. 53	University Elections	S. 5 rep. in part as to E.	6, s. 17, Sch.
c. 70	Locomotive	Ss. 3, 8 rep. as to I.	45, ss. 3 (2), 5 (2).
c. 104	Indian High Courts	S. 2 am.; s. 16 virt. rep. in part.	18, ss. 1, 2, 3.
25 & 26 Vict. :			
c. 53	Land Registry	S. 105 rep. in part	6, s. 17, Sch.
c. 67	Declaration of Title	S. 44 rep. in part	6, s. 17, Sch.
c. 68	Fine Arts Copyright	Ss. 1-6, 9-12, rep.; s. 8 rep. in part (*but see Terms*).	46, s. 36, Sch.
c. 103	Union Assessment Committee	S. 40 rep. in part	6, s. 17, Sch.
26 & 27 Vict. :			
c. 86	Isle of Man Harbours	Repealed	33, ss. 5(1), 8 (1) Sch. II.
c. 87	Trustee Savings Banks	S. 49 rep. in part as to E.	6, s. 17. Sch.
c. 113	Poisoned Grain Prohibition	Repealed (except as to S.)	27, s. 18. Sch. II.
27 & 28 Vict. :			
c. 25	Naval Prize	S. 50 rep. as to E.	6. s. 17. Sch.
c. 114	Improvement of Land	S. 5 rep. as to E.	6. s. 17. Sch.
c. 115	Poisoned Flesh Prohibition	Repealed (except as to S.)	27, s. 18. Sch. II
28 & 29 Vict. :			
c. 36	County Voters Registration	S. 11 rep. in part	6, s. 17, Sch.
c. 83	Locomotives	Ss. 3 (pars. (1) (2)), 5 rep. as to I.	45, ss. 3 (2), 4 (6)
c. 113	Colonial Governors (Pensions)	Repealed (*but see Terms*)	24, s. 12 (2), Sch
29 & 30 Vict. :			
c. 25	Exchequer Bills and Bonds	S. 26 restricted	26, s. 1 (2).
c. 39	Exchequer and Audit Departments.	S. 10 restricted	26, s. 1 (1).
c. 62	Crown Lands	S. 29 rep. as to E.	6. s. 17, Sch.
c. 108	Railway Companies Securities	S. 17 rep. in part as to E. so far as relates to indictable offences under s. 16. Am.; ss. 3–13, Sch. 1 rep.; s. 14 am.; ss. 16, 18, 19, Sch. II. rep. in part.	6, s. 17, Sch 34, ss. 2 (3), 7 (1 Sch. II.
c. 109	Naval Discipline	S. 67 rep. in part as to E.	6. s. 17, Sch.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo. 5.
0 & 31 Vict. :			
c. 84	Vaccination	S. 30 rep. in part	6, s. 17, Sch.
c. 136	Parliamentary Costs	S. 2 rep. as to E.	6, s. 17, Sch.
31 & 32 Vict. :			
c. 24	Capital Punishment Amendment.	S. 9, rep. as to E.	6, s. 17, Sch.
c. 45	Sea Fisheries	S. 32, rep. in part as to E.	6, s. 17, Sch.
c. 71	County Courts Admiralty Jurisdiction.	S. 19, rep. in part	6, s. 17, Sch.
c. 119	Regulation of Railways	Ss. 5, 8, rep. in part as to E. Ss. 3–5 repealed	6, s. 17, Sch. 34, s. 7 (1), Sch. II.
c. 121	Pharmacy	S. 14, rep. in part as to E.	6, s. 17, Sch.
c. 125	Parliamentary Elections	S. 31, rep. in part as to E.	6, s. 17, Sch.
32 & 33 Vict. :			
c. 111	Bishops Resignation	S. 6, rep. in part as to E.	6, s. 17, Sch.
33 & 34 Vict. :			
c. 71	National Debt	Amended	48, s. 17.
c. 102	Naturalization Oath	S. 2, rep. as to E.	6, s. 17, Sch.
34 & 35 Vict. :			
c. 36	Pensions Commutation	S. 9, rep. in part as to E.	6, s. 17, Sch.
c. 78	Regulation of Railways	S. 10, rep. in part as to E. S. 9, amended	6, s. 17, Sch. 34, s. 5.
c. 83	Parliamentary Witnesses Oaths.	S. 1, rep. in part as to E.	6, s. 17, Sch.
35 & 36 Vict. :			
c. 8	Deans and Canons Resignation.	S. 4. rep. in part	6, s. 17, Sch.
c. 23	Isle of Man Harbours	Ss. 9, 13, ext. to ferries	33, s. 1 (1) (2).
c. 29	Colonial Governors (Pensions)	Repealed (*but see Terms*)	24, s. 12 (2), Sch.
c. 93	Pawnbrokers	S. 29, rep. in part as to E.	6, s. 17, Sch.
36 & 37 Vict. :			
c. 60	Extradition	S. 5, rep. in part as to E.	6, s. 17, Sch.
c. 66	Supreme Court of Judicature	S. 25 (9) virt. rep.	57, s. 9 (3).
37 & 38 Vict. :			
c. 8	Isle of Man Harbours	S. 2, Sch. (prosp.) rep. in part; s. 6 ext.; s. 8 rep.	33, ss. 2, 4, 8 (1), Sch. II.
c. 88	Births and Deaths Registration.	S. 40 (1) (3) (4), and in part (2), rep.	6, s. 17, Sch.
38 & 39 Vict. :			
c. 12	International Copyright	Repealed (*but see Terms*)	46, s. 36 Sch.
c. 26	Bankruptcy (S)	S. 3 extended	55, s. 110 (4).
c. 45	National Debt	S. 5 restricted	48, s. 16 (1).
c. 55	Public Health	S. 263 repealed	6, s. 17, Sch.
		S. 157 restricted as to School Buildings.	32, s. 3.
c. 87	Land Transfer	S. 101 repealed	6, s. 17, Sch.
c. 89	Public Works Loans	S. 44 rep. in part as to E.	6, s. 17, Sch.
		S. 11 amended	17, s. 1.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo. 5.
39 & 40 Vict. :			
c. 13	Drugging of Animals	Repealed	27, s. 18, Sch. II.
c. 36	Customs Consolidation	S. 36 rep. in part as to E. Am. ; s. 42 am. (except as to the Isle of Man) ; s. 42 rep. in part ; ss. 44, 45, 152 rep. (*but see Terms*). Ss. 104, 106 restr. as to cocoa goods.	6, s. 17, Sch. 46, ss. 15, 36, Sch. 48, s. 2 (2).
40 & 41 Vict. c. 2.	Treasury Bills	S. 6 restricted	1, s. 3 (2) ; 5, s. 2 (2) ; 15, s. 2 (2).
41 & 42 Vict. :			
c. 15	Customs and Inland Revenue	S. 13 (2) amended	48, s. 15.
c. 26	Parliamentary and Municipal Registration.	S. 25 rep. in part	6, s. 17, Sch.
c. 31	Bills of Sale	S. 17 rep. in part	6, s. 17, Sch.
c. 33	Dentists	S. 35 rep. as to E.	6, s. 17, Sch.
c. 76	Telegraph	S. 12 applied	39, s. 7 (2).
42 & 43 Vict. c. 21	Customs and Inland Revenue	S. 3 repealed	48, ss. 2 (1), 22 (1), Sch.
43 & 44 Vict. :			
c. 13	Births and Deaths Registration (I.).	S. 30 (1) (3) (4), and in part (2), rep.	6, s. 17, Sch.
c. 19	Taxes Management	S. 63 (4) rep. as to E.	6, s. 17, Sch.
c. 41	Burials	S. 10 rep. in part	6, s. 17, Sch.
44 & 45 Vict.			
c. 41	Conveyancing and Law of Property.	Ss. 1 (1), 5 (3), 10, 18, 19, 21 (6), 69, Sch. 3 (1 (footnote)) am. ; s. 39 rep. ; s. 42 (1) rep. in part ; ss. 21 (2), 44 expl.	37, ss. 1, 2, 3, 4, 5, 6, 7 (3), 14, 15, 16 (4).
c. 58	Army	Ss. 114, 145, amended	3, ss. 4, 5.
c. 62	Veterinary Surgeons	S. 11 rep. as to E.	6, s. 17, Sch.
45 & 46 Vict. :			
c. 37	Corn Returns	S. 12 rep. in part	6, s. 17, Sch.
c. 39	Conveyancing	S. 3 am. as to money-lenders	38, s. 1 (2).
c. 40	Copyright (Musical Compositions).	Repealed (*but see Terms*)	46 s. 36, Sch.
c. 50	Municipal Corporations	Ss. 59 (3), and in part 94, rep.	6, s. 17, Sch.
c. 51	Government Annuities	S. 11 (3) rep. as to E.	6, s. 17, Sch.
46 & 47 Vict. :			
c. 9	Isle of Man Harbours	S. 2 ext. and am. ; s. 8 rep. in part.	33, ss. 6, 8 (1 Sch. II.
c. 51	Corrupt and Illegal Practices Prevention.	S. 33 (7) rep. in part as to E.	6, s. 17, Sch.
47 & 48 Vict. :			
c. 7	Isle of Man Harbours	S. 5 amended	33, s. 3.
c. 54	Yorkshire Registries	S. 47 repealed	6, s. 17, Sch.
c. 70	Municipal Elections (Corrupt and Illegal Practices).	S. 21 (5) rep. in part Amended	6, s. 17, Sch. 7, s. 1.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo. 5.
48 & 49 Vict.:			
c. 3	Representation of the People	S. 9 (6) restricted - -	53, s. 7 (7).
c. 54	Pluralities Act Amendment -	S. 7 rep. in part - - -	6, s. 17, Sch.
c. 77	Labourers (I.) - - -	S. 17 restricted - - -	19, s. 5 (7).
49 & 50 Vict.:			
c. 29	Crofters Holdings (S.) - -	Am.: ss. 1, 7, 12, 16, 21, 33, am.; ss. 2, 3, 6 (3), 11, 12, 14, 19, 24, 32, 34 rep. in part; ss. 4, 13 (1) (2) (3 (*a*)–(*d*)) (4) (5), 17, 22, 23, 28 rep.	49, ss. 1, 2, 10, 16, 18, 20, 26 (7), 28 (1), 31, 39, Sch.
c. 33	International Copyright -	Repealed (*but see Terms*) -	46, s. 36, Sch.
c. 48	Medical - - - -	Part I., s. 7 amended - -	43, ss. 3 (1), 4.
50 & 51 Vict.:			
c. 13	Pensions (Colonial Service) -	S. 2 am. and restr.: ss. 3–5 rep. (*but see Terms*).	24, ss. 5 (2) 12 (2), Sch.
c. 20	Criminal Law and Procedure (I.).	Restricted - - - -	28, s. 10 (4).
c. 24	Crofters Holdings (S.) - -	Am.; s. 2 am. and rep. in part.	49, ss. 1, 31, 39, Sch.
c. 28	Merchandise Marks - -	S. 8 (3) rep. in part as to E. -	6, s. 17, Sch.
		S. 16 amended - - -	31, s. 1.
c. 43	Stannaries - - - -	S. 9 extended - - -	55, s. 110 (2).
c. 47	Trustee Savings Banks - -	S. 2 (5) rep. as to E. - -	6, s. 17, Sch.
c. 58	Coal Mines Regulation -	Rep. (except ss. 1, 3, 12–15) (*but see Terms*).	50, s. 126, Sch. IV.
51 & 52 Vict.:			
c. 17	Copyright (Musical Compositions).	Repealed (*but see Terms*) -	46, s. 36, Sch.
c. 25	Railway and Canal Traffic -	S. 32 amended - - -	34, s. 5.
c. 46	Oaths - - - - -	S. 1 rep. in part as to E. -	6, s. 17, Sch.
c. 62	Preferential Payments in Bankruptcy.	S. 1 extended - - -	55, s. 110 (1).
c. 63	Crofters Commission (Delegation of Powers).	Repealed - - - -	49, s. 39, Sch.
52 & 53 Vict:			
c. 10	Commissioners of Oaths -	S. 7 rep. as to E. - - -	6, s. 17, Sch.
c. 42	Revenue - - -	S. 1 rep. in part (*but see Terms*).	46, s. 36, Sch.
c. 49	Arbitration - - - -	S. 22 rep. as to E. - -	6, s. 17, Sch.
		Restricted - - - -	55, ss. 67 (4) 88 (3).
c. 50	Local Government (S.) -	Ss. 60 (3) (4), 66 ext. - -	55, s. 80 (12).
c. 52	Official Secrets - - -	Repealed - - - -	28, s. 13 (2).
c. 60	Preferential Payments in Bankruptcy (I.).	S. 4 extended - - -	55, s. 110 (5).
53 & 54 Vict. c. 5	Lunacy - - - -	Ss. 135–143 amended - -	40, s. 1.
54 & 55 Vict:			
c. 39	Stamp - - - - -	Sch. 1 ("Marketable Security" par. (4)) restr.	48, s. 13 (3).
c. 41	Crofters Common Grazings Regulation.	Am.; s. 2 rep. in part - -	49, ss. 1, 24 (4), 31 (2), 39, Sch.
c. 70	Markets and Fairs (Weighing of Cattle).	S. 3 rep. in part as to E. -	6, s. 17, Sch.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo. 5.
55 & 56 Vict.:			
c. 23	Foreign Marriage	S. 15 rep. as to E.	6, s. 17, Sch.
c. 55	Burgh Police (S.)	S. 380 amended Ss. 344–346 restricted	51, s. 1. 53, s. 7 (7).
c. 62	Shop Hours	S. 10 restr.; s. 8 rep. (except as to rural districts, &c., in Ireland); appl. with mod.	54, ss. 8 (6), 1 (1), 17 (3 Sch. III.
56 & 57 Vict.:			
c. 53	Trustee	S. 44 restricted	37, s. 4 (4).
c. 66	Rules Publication	Applied with mod.	52, s. 1 (2) (7).
c. 67	Shop Hours	Rep. (except as to rural districts, &c., in Ireland).	54, s. 17 (3). Sc III.
57 & 58 Vict:			
c. 13	Arbitration (S.)	Restricted	49, s. 7 (11).
c. 46	Copyhold	S. 54 (5) repealed	6, s. 17, Sch.
c. 57	Diseases of Animals	Ss. 22, 59 amended	11, s. 1.
c. 60	Merchant Shipping	S. 141 explained Ss. 76, 504 amended Ss. 419 (4), 422 (2) repealed S. 692 applied	8, s. 1. 42, s. 1. 57, s. 4. 41, s. 1 (5).
58 & 59 Vict.:			
c. 5	Shop Hours	Applied with mod.	54, s. 8 (6).
c. 41	Lands Valuation (S.)	S. 4 explained	49, s. 31 (6).
59 & 60 Vict.:			
c. 25	Friendly Societies	S. 87 rep. in part as to E. S. 8 ext.: s. 70 (3) (4) restr.; ss. 56–61 applied with mods.	6, s. 17, Sch. 55, ss. 24 (2), (*f*), 75.
c. 37	Agricultural Rates, Congested Districts, &c. (S.).	Am.; s. 4 (2) rep. in part	49, ss. 31 (2). 3 Sch.
c. 43	Coal Mines Regulation	Repealed (*but see Terms*)	50, s. 126, Sc IV.
60 & 61 Vict.:			
c. 38	Public Health (S.)	Extended	30, s. 1.
c. 43	Military Manœuvres	Ss. 1, 2, 3, 7 (2), 8 amended	44, ss. 1–5.
c. 53	Congested Districts (S.)	Am.; ss. 1, 2, 3 (1) (2), 8, and in part 4 (1 (*d*)), rep.; s. 4 (1 (*f*)) "lighthouses" rep. (*but see Terms*).	49, ss. 5, 28 (31 (2), 39, Sc
c. 65	Land Transfer	S. 2 (2) amended	37, s. 12 (1).
61 & 62 Vict. c. 48	Benefices	S. 4 (4) repealed	6, s. 17, Sch.
62 & 63 Vict.:			
c. 21	Seats for Shop Assistants	Applied with mod.	54, s. 8 (6).
c. 23	Anchors and Chain Cables	S. 13 rep. in part as to E.	6, s 17, Sch.
63 & 64 Vict.:			
c. 7	Finance	S. 9 amended	48, s. 3.
c. 21	Mines (Prohibition of Child Labour Underground).	Restr. to mines not affected by Act (*but see Terms*).	50, s. 126, Sc IV.
c. 31	Isle of Man (Customs)	Ss. 1, 2 (*par.* 2) continued	14, s. 1 (1).
c. 33	Wild Animals in Captivity	Repealed (except as to S.)	27, s. 18, Sch.
c. 51	Money-lenders	S. 2 amended	38, s. 1.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 1 & 2 Geo. 5.
1 Edw. 7 :			
c. 22	Factory and Workshop	Ss. 90–92, 94, Sch. IV. virt. rep. (prosp.) ; s. 95 am.	21, s. 1.
		Ss. 80, 81 applied	55, s. 114, Sch. IX.
c. 31	Pacific Cable	Ss. 3–7 extended	36. s. 1 (2).
2 Edw. 7. :			
c. 8	Cremation	S. 8 (2) rep. in part	6, s. 17, Sch.
c. 17	Midwives	S. 11 repealed	6, s. 17, Sch.
c. 42	Education	S. 22 (2) amended	32, s. 2.
3 Edw. 7			
c. 7	Coal Mines Regulation Act (1887) Amendment,	Repealed (*but see Terms*)	50, s. 126, Sch. IV.
c. 25	Licensing (S.)	S. 76 amended	51, s. 1 (6).
c. 33	Burgh Police (S.)	S. 82 (1)-(4) am. ; s. 82 (3) "constable" rep.	51, s. 1.
		S. 58 applied with mod.	53, s. 1.
4 Edw. 7. c. 31	Shop Hours	S. 2 (1) virt. rep. in part ; ss. 8 (2), 9 repealed (except as to rural districts, &c., in Ireland) ; applied with mods.	54, ss. 2 (7), 8 (6), 16 (7), 17 (3) Sch. III.
6 Edw. 7 :			
c. 18	Isle of Man (Customs)	S. 1 continued	14, s. 1.
c. 36	Musical Copyright	S. 3 rep. in part (*but see Terms*).	46, s. 36, Sch.
c. 37	Labourers (I.)	Ss. 13 (2), 14 (1), 16 (1), 17 am. ; s. 11 (8) rep. in part ; s. 11 (12) appl.	19, ss. 2, 3, 4, 6.
c. 40	Marriage with Foreigners	S. 1 (2) rep. as to E.	6, s. 17, Sch.
c. 48	Merchant Shipping	S. 62 explained	8. s. 1.
c. 53	Notice of Accidents	Ss. 1–3, 5 restricted to mines not affected by Act (*but see Terms*).	50, s. 126, Sch. IV.
7 Edw. 7 :			
c. 5	Injured Animals	Repealed (except as to S.)	27, s. 18, Sch. II.
c. 10	Employment of Women	S. 1 not to apply to Coal Mines Regulation Act, 1887 (*but see Terms*).	50, s. 126, Sch. IV.
c. 13	Finance	S. 17 amended	2, ss. 17 (1), 18 (2).
c. 24	Limited Partnerships	S. 12 rep. as to E.	6, s. 17, Sch.
c. 29	Patents and Designs	S. 86 amended	46, s. 22 (2).
8 Edw. 7 :			
c. 28	Agricultural Holdings	S. 13 (5) repealed	6, s. 17, Sch.
c. 40	Old Age Pensions	Ss. 2 (2), 3, 7, 9 am. ; ss. 2 (2), 10 (1 (*a*)) rep. in part ; s. 4 (1) (2) rep. ; s. 7 (1 (*d*)) expl.	16, ss. 2 (3), 3, 4, 6, 7, 9, Sch.
c. 50	Crofters Common Grazings Regulation.	Amended	49, ss. 1, 31 (2).
c. 53	Law of Distress Amendment	S. 1 rep. in part as to E.	6, s. 17, Sch.

Statute and Chapter.	Subject-matter or Short Title.	How effected.	Chapter of 1 & 2 Geo. 5.
8 Edw. 7: c. 64	Agricultural Holdings (S.)	Applied with mods.	49, ss. 7 (11), 10 (3), 32.
c. 69	Companies (Consolidation)	Ss. 218, and in part 281, rep. as to E.	6, s. 17, Sch.
		S. 209 extended	55, s. 110 (1).
9 Edw. 7:			
c. 42	Irish Land	S. 11 (2) amended	19, s. 3.
c. 47	Development and Road Improvement Funds.	S. 2 (2) rep. (as from 31 March 1912).	48. ss. 16 (1 (*a*)), 22, Sch.
c. 49	Assurance Companies	S. 24 rep. in part as to E.	6, s. 17, Sch.
10 Edw. 7:			
c. 8	Finance	Ss. 2 (3), 16 (2 (*b*)), 26 (1), 72 (2), 88 (1), 90 am.; ss. 14 (3), 44 (1), 88 (3) rep.; s. 88 (1) rep. in part; ss. 15, 33 (4), 71 (2) expl.; ss. 71 (1 (proviso)), 88 (2) extd.; s. 75 restr.; s. 91 susp.	2. ss. 2, 3, 4, 5, 7, 8 (3), 11 (1), 12, 13, 15, 16, 18 (1)–(3), 20, Sch.
		Ss. 49 (3), in part 52, rep.; ss. 61 (5), 86 (6) am.; s. 48 (3) appl. with mods.	48, ss. 4, 6, 11, 19, 22 (1), Sch.
c. 30	Agricultural Holdings (S.) Amendment.	Applied with mods.	49, s 32.
10 Edw. 7 and 1 Geo. 5:			
c. 15	Mines Accidents (Rescue and Aid).	Restricted to mines not affected by Act (*but see Terms*).	50, s. 126, Sch. IV.
c. 35	Finance	S. 1 continued	48, s. 1.
1 & 2 Geo. 5:			
c. 2	Revenue	Sch. amended	48, s. 21
c. 26	Telephone Transfer	S. 1 (1 (*b*)) amended	56, s. 1 (2)

TABLE IV.

A LIST
OF
THE LOCAL AND PRIVATE ACTS,
(1 & 2 Geo. 5. 1911)
ARRANGED IN CLASSES.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.
- (1) Bridges.
- (2) Ferries.
- (3) Roads.
- (4) Subways and Tunnels.

" II.—Railways, Tramroads and Tramways.
- (1) Railways.
- (2) Tramroads and Tramways.
- (3) Light Railways.

" III.—Canals, Rivers and Navigations.

IV.—Harbours, Docks, Ports, Piers and Quays.

" V.—Local Government (including Judicial Matters, Poor Law and Public Health).

" VI.—Lighting, Power and Heating.
- (1) Gas.
- (2) Electricity.

" VII.—Water Supply.

" VIII.—Drainages and Drainage Embankments.

" IX.—Inclosures, Open Spaces, &c.
- (1) Inclosures and Allotments.
- (2) Open Spaces, Commons and Parks.

" X.—Fisheries.

" XI.—Charitable and Educational, &c., Foundations and Institutions.

CLASS XII.—ECCLESIASTICAL AFFAIRS (INCLUDING TITHES AND MARRIAGE CONFIRMATION).

„ XIII.—PERSONAL AND PRIVATE (INCLUDING ESTATES)

(1) Annuities and Grants of Money.
(2) Divorce.
(3) Estates.
(4) Names, Change of.
(5) Naturalization.
(6) Patents.
(7) Restoration of Dignities.
(8) Miscellaneous.

„ XIV.—TRADING AND OTHER COMPANIES.

(1) Banking and Investment.
(2) Cemetery.
(3) Insurance.
(4) Land and Building.
(5) Miscellaneous.

„ XV.—CROWN.

„ XVI.—PROVISIONAL ORDERS CONFIRMATION.

NOTE.—In this Table, words, printed in *italics*, following the Title, are added to explain the principal purposes of the Act; where none are added, and the Title itself conveys no explanation, the Act may be considered as one giving General Powers.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.

(1) *Bridges:*

Aberdare Urban District Council (*New bridge works*). c. cix.
Corporation of London (Bridges). c. cxx.
Kingston-upon-Thames Bridge (*Vesting Bridge &c. in county councils. Power to widen bridge and approaches, &c.*). c. lxxxix.
Metropolitan Electric Tramways (*Power to construct new bridge over Old River Lee, &c.*). c. xciii.
Warrington Corporation (*Power to construct bridges over River Mersey*). c. x.
Widnes and Runcorn Bridge (Transfer) (*to Widnes Corporation*). c. lxv.
Woking Urban District Council (Basingstoke Canal) (*Repair, &c. of bridges*). c. cvii.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (14).]

(2) *Ferries:*

Dundee Harbour and Tay Ferries Consolidation. c. lxxx., Part XVII.

(3) *Roads: Nil.*

(4) *Subways and Tunnels:*

London Brighton and South Coast Railway (*Construction of subway at Norwood Junction, &c.*). c. lx.
Metropolitan Railway (*Construction of subway*). c. lxxiii.

Class II.—Railways, Tramroads and Tramways.

(1) *Railways:*

Alexandra (Newport and South Wales) Docks and Railway (*New railways, &c.*). c. lxxii.
Barry. c. xcv.
Central London (*Extension to Great Western Railway*). c. lxxxiii.
Furness (*Extension of time for sale of lands*). c. xii.
Great Northern. c. lxxix.
Great Northern (Ireland). c. vi.
Great Western (*New railways, &c.*). c. lxxxv.
Liverpool Overhead (*Powers as to loan capital*). c. lxxi.
London Brighton and South Coast (*Construction of subway, &c. Extension of time. Powers as to lands. Additional capital*). c. lx.
London Brighton and South Coast (Steam Vessels). c. xl.
London Electric (*New railways. Supply of electrical energy, &c.*). c. xxix.
London and South Western. *See* South Western.
London Tilbury and Southend. c. xcvi.
Manchester and Milford (Vesting) (*in Great Western Railway Company*). c. xv.
Metropolitan (*New works. Finance*). c. lxxiii.
Metropolitan District (*Generating station. New railways. Additional lands. Power to provide and use road vehicles, &c.*). c. xxxi.
Midland. c. c.
North Eastern. c. xciv.
Penllwyn (*Revival of powers and extension of time. Substituted road works, &c.*). c. xc.
Rhymney (*New railways, &c. Additional lands. Extensions of time*). c. xliii.
Seaforth and Sefton Junction (*Extension of time. As to lease of undertaking*). c. xix.
South Western. c. lxxv.

[*For Acts confirming Provisional Orders under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (14).]

(2) *Tramroads and Tramways:*

Aberdare Urban District Council (*Additional tramways. Railless traction, &c.*). c. cix.
Belfast Corporation (*Additional tramways. Extension of time*). c. cxc.
Brighton Hove and District Railless Traction. c. cx.
Bristol Tramways (*Revival of powers and extension of time*). c. lxxvi.
Chiswick Urban District Council (*Trolley vehicles*). c. cxii.
City of London (Various Powers) (*Power to work Deptford tramway by electricity*). c. lxxxiv.
Dover Corporation (*Extension of time*). c. xxi.
Halifax Corporation (*Additional tramways. Trolley vehicles, &c.*). c. cxiii.
Handsworth Urban District Council (*Additional tramways, &c.*). c. lxxxi.

Class II.—Railways, Tramroads and Tramways—*continued.*

(2) *Tramroads and Tramways*—continued.

Kingston-upon-Hull Corporation (*Additional tramways. Enlargement of power station*). c. lxxxvi.

London County Council (*Tramways and improvements*). c. cvi.

London United Tramways (*Extension of time*). c. xi.

Manchester Corporation (*Additional tramways. Extension of time, &c.*). c. cviii.

Metropolitan Electric Tramways (*New bridge and works. New tramways. Street widenings, &c.*). c. xciii.

Middlesbrough Stockton-on-Tees and Thornaby Tramways (*Revival of powers and extension of time*). c. xci.

Newcastle-upon-Tyne Corporation (*Additional tramways, &c.*). c. cxix.

Northampton Corporation (*Additional tramways, &c.*). c. lxiv.

Nottinghamshire and Derbyshire Tramways (*Additional lands for road widenings. Revival of powers and extension of time. Abandonment of certain tramways. Reduction of capital, &c.*). c. lxxxviii.

Rotherham Corporation (*Additional tramways. Trolley vehicles, &c.*). c. cxvi.

South Lancashire Tramways (*New tramways. Street works. Agreements with Lancashire United Tramways, Limited, &c.*). c. lv.

Southampton Corporation Tramways (*Additional tramways*). c. v.

[*For Acts confirming Provisional Orders under Private Legislation Procedure* (*Scotland*) *Act*, 1899, *and Tramways Act*, 1870, *see* Class XVI. (14), (17).]

(3) *Light Railways:*

Metropolitan Electric Tramways (*Extension of time for, and powers to Middlesex Council in respect of, light railways*). c. xciii.

North Eastern Railway (*Extension of time for Brackenhill light railway. Power to subscribe to Derwent Valley Light Railway Company*). c. xciv.

Class III.—Canals, Rivers and Navigations.

Belfast Corporation (*Flood prevention works*). c. cxc.

Chiswick Urban District Council (*Construction of river wall or embankment, &c.*). c. cxii.

Clyde Navigation (*New works, &c. Additional borrowing power*). c. li.

Dundee Harbour and Tay Ferries Consolidation (*Lighting and buoying River Tay, &c.*). c. lxxx., Part IX.

Manchester Ship Canal (*Power to construct pier or jetty. Extension of port limits. Powers as to lands, dues, &c.*). c. lvi.

Thames Conservancy (*Abstraction of water by Metropolitan Water Board, payments by that board, &c.*). c. lvii.

Upper Medway Navigation and Conservancy (*Incorporation of Conservators. Transfer of undertaking of Company. New works, &c.*). c. xxiii.

Warrington Corporation (*Power to construct river works*). c. x.

Woking Urban District Council (Basingstoke Canal). c. cvii.

Class IV.—Harbours, Docks, Ports, Piers and Quays.

Alexandra (Newport and South Wales) Docks and Railway. c. lxxii.

Bristol Corporation (*Further borrowing and other powers as to dock undertaking, &c.*). c. xliv.

Clyde Navigation (*New docks, &c. Additional borrowing power*). c. li.

Dover Graving Dock (*Extension of time*). c. lxx.

Dundee Harbour and Tay Ferries Consolidation (*Reconstitution and incorporation of Trustees, &c.*). c. lxxx.

Great Northern Railway (Ireland) (*Construction of wharf*). c. vi.

Great Yarmouth Port and Haven. c. xcix.

Kingston-upon-Hull Corporation (*Power to appoint harbour master*). c. lxxxvi., s. 52.

London Tilbury and Southend Railway (*Revival of power and extension of time for wharf, &c. on River Roding*). c. xcvi.

Manchester Ship Canal (*Power to construct pier or jetty. Extension of port limits. Powers as to lands, dues, &c.*). c. lvi.

Milford Docks (*Extension of time. Additional lands, &c.*). c. lxxiv.

Newcastle-upon-Tyne Corporation (*Extension of quay limits*). c. cxix.

Port of London (*Power to acquire lands*). c. xxvii.

Rhôs-on-Sea Pier (*Confirmation of existing pier. New works, &c.*). c. xlviii.

Southampton Harbour (*Power to dredge, &c. Dues. Additional borrowing power. Commission of inquiry*). c. lviii.

[*For Acts confirming Provisional Orders under General Pier and Harbour Act*, 1861, *Port of London Act*, 1908, *and Private Legislation Procedure* (*Scotland*) *Act*, 1899, *see* Class XVI. (6), (13), (14).]

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health).

Aberdare Urban District Council. c. cix.

Belfast Corporation. c. cxc.

Blackburn Corporation Water (*Confirmation of Revidge Reservoir. Extension of time. Additional works, &c.*). c. xxviii.

Bristol Corporation (*Enlargement of cemeteries. Further powers as to dock undertaking. Additional borrowing power*). c. xliv.

Chesterfield Gas and Water Board. c. xlv.

Chiswick Urban District Council. c. cxii.

City of London (Various Powers). c. lxxxiv.

Corporation of London (Bridges). c. cxx.

Coventry Corporation. c. viii.

Dover Corporation (*Extension of time for lands, street works and tramway under Act of* 1901). c. xxi.

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health)—*continued.*

Dunfermline Burgh Extension and Drainage. c. civ.
Gloucester Corporation. c. xcii.
Great Yarmouth Port and Haven (*Sale by corporation of fish wharf undertaking. Contributions by corporation, &c.*). c. xcix.
Halifax Corporation. c. cxiii.
Handsworth Urban District Council. c. lxxxi.
Harrogate Corporation Water (*Extension of time for reservoir. Rates and supply. Additional borrowing power*). c. lii.
Hastings Corporation (Water and Finance). c. xxxix.
Hebburn Urban District Council. c. xxii.
Hornsea Urban District Council. c. lxxviii.
Ipswich Corporation. c. cv.
Kingston-upon-Hull Corporation (*Tramways. Water. Finance, &c.*). c. lxxxvi.
Kingston-upon-Thames Bridge (*Vesting bridge, &c. in county councils. Power to widen bridge and approaches, &c.*). c. lxxxix.
London County Council (General Powers) (*Superannuation. Extensions of time, &c.*). c. lxiii.
London County Council (Money). c. cxiv.
London County Council (Tramways and Improvements). c. cvi.
Luton Corporation. c. lxxxvii.
Manchester Corporation. c. cviii.
Margam Urban District Council. c. cxv.
Marple Urban District Council Gas (*Additional works, &c.*). c. lxxxii.
Merthyr Tydfil Corporation Water (*Additional works, &c. Supply*). c. xcvii.
Metropolitan Electric Tramways (*Powers to Middlesex Council as to purchase of tramways, &c.*). c. xciii.
Metropolitan Water Board (New Works). c. cxviii.
Newcastle-upon-Tyne Corporation. c. cxix.
Northampton Corporation. c. lxiv.
Oystermouth Urban District Council (Water). c. lxi.
Paddington Borough Council (Superannuation and Pensions). c. ci.
Paignton Urban District Council. c. liv.
Poplar Borough Council (Superannuation and Pensions). c. cii.
Rhondda Urban District Council. c. ciii.
Rotherham Corporation. c. cxvi.
St. Helens Corporation. c. cxvii.
Salford Hundred Court of Record (*Amendment of Act of* 1868). c. clxxii.
Sligo Corporation (*Powers as to borrowing*). c. xxx.
Slough Urban District Water (*Transfer of undertaking of Company, &c.*). c. xx.
Swinton Urban District Council (*Confirmation of existing, and construction of additional, waterworks, &c.*). c. xviii.
Upper Medway Navigation and Conservancy (*Power to Kent County Council to execute works, &c.*). c. xxiii.
Warrington Corporation. c. x.

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health)—*continued.*

Western Valleys (Monmouthshire) Sewerage Board (*Confirmation of deviation of works. Additional borrowing power, &c.*). c. xxv.

Widnes and Runcorn Bridge (Transfer) (*to Widnes Corporation. Contributions by county councils and district council, &c.*). c. lxv.

Winchester Corporation (Electric Supply). c. lxvii.

Woking Urban District Council (Basingstoke Canal). c. cvii.

[*For Acts confirming Provisional Orders under Acts relating to subjects embraced in this Class, see* Class XVI.]

Class VI.—Lighting, Power and Heating.

(1) *Gas:*

Ashborne and District (*Dissolution and re-incorporation*). c. liii.

Belfast Corporation (*Differential prices, &c.*). c. xc., s. 83.

Chapel Whaley and District (*Dissolution and re-incorporation*). c. lxvi.

Chasetown (*Dissolution and re-incorporation. Cesser of power of supply of Lichfield Gas Company within limits of Act*). c. lix.

Chesham and District (*Dissolution and re-incorporation*). c. vii.

Chesterfield Gas and Water Board (*Extension of limits. Additional borrowing power, &c.*). c. xlv.

Chichester (*Extension of limits. Additional capital, &c.*). c. xiv.

Dunfermline Burgh Extension and Drainage (*Additional works, &c. Extension of limits*). c. civ.

Enfield. c. xlii.

Gas Light and Coke Company's (*Transfer of undertakings of Barking and Chigwell Companies, &c.*). c. xlvi.

Luton (*Additional lands and capital. Testing, &c.*). c. xli.

Margam Urban District Council (*Transfer of works of Aberavon Corporation within district. New works, supply, &c.*). c. cxv.

Marple Urban District Council (*Additional works, &c.*). c. lxxxii.

Rotherham Corporation (*Extension of limits. Quality, &c.*). c. cxvi.

St. Helens Corporation. c. cxvii., Part IV.

Sidmouth Gas and Electricity (*Dissolution and re-incorporation*). c. lxviii.

Swansea (*Additional works, &c. Supply of power-gas*). c. xcviii.

Tamworth (*Extension of limits. Additional works, &c. Testing, &c.*). c. xxxii.

Warrington Corporation. c. x., Part III.

Weston-super-Mare (*Additional capital, lands, &c.*). c. xiii.

[*For Acts confirming Provisional Orders relating to Gas Undertakings, see* Class XVI. (5), (9(*a*)).]

Class VI.—Lighting, Power and Heating—*continued.*

(2) *Electricity:*

Dunfermline Burgh Extension and Drainage (*Extension of limits*). c. civ., s. 70.

East Kent Electric Power (*Transfer to South East Kent Electric Power Company of certain powers of Kent Electric Power Company, &c.*). c. cxi.

Gloucester Corporation. c. xcii., Part VIII.

Great Northern Railway (*Power to Great Northern and City Railway Company to supply Electricity to Company*). c. lxxix., s. 116.

Halifax Corporation (*Attachment of brackets to buildings. As to erroneous registration by meter*). c. cxiii.

Luton Corporation. c. lxxxvii., Part VI.

Metropolitan Electric Supply Company (Acton District). c. xlvii.

Rhondda Urban District Council. c. ciii., Part IV.

St. Helens Corporation. c. cxvii., Part VI.

Sidmouth Gas and Electricity (*Dissolution and re-incorporation*). c. lxviii.

South Lancashire Tramways (*Power to supply electrical energy in bulk to Atherton Urban District Council, &c.*). c. lv.

Warrington Corporation. c. x., Part IV.

Winchester Corporation (Electric Supply) (*Transfer of undertaking of Company, &c.*). c. lxvii.

[*For Acts confirming Provisional Orders relating to Electric Lighting Undertakings, see* Class XVI. (4), (14).]

Class VII.—Water Supply.

Blackburn Corporation (*Confirmation of Revidge Reservoir. Extension of time. Additional works, &c.*). c. xxviii.

Chester (*Confirmation of existing works and purchase of lands. New works. Conversion of existing, and power to raise additional, capital, &c.*). c. lxxvii.

Chesterfield Gas and Water Board (*Additional works, &c.*). c. xlv.

Ely Rural District (*Incorporation of company*). c. xxvi.

Felixstowe and Walton (*Confirmation of existing, and construction of additional, works, &c. Sale to District Council*). c. ix.

Gloucester Corporation (*Additional works. Power to supply in bulk to Newent Rural District Council, &c.*). c. xcii.

Halifax Corporation (*Additional works, &c.*). c. cxiii.

Harrogate Corporation (*Extension of time for reservoir. Rates and supply. Additional borrowing power*). c. lii.

Hastings Corporation (Water and Finance.) c. xxxix.

Hornsea Urban District Council (*Supply by hosepipe to stables. Bye-laws as to waste, &c.*). c. lxxviii.

Ipswich Corporation (*Additional works, &c. Supply*). c. cv.

Kingston-upon-Hull Corporation (*Additional works. Extension of limits. Supply, &c.*). c. lxxxvi.

Luton (*Additional lands and capital. Directors, &c.*). c. xvi.

Merthyr Tydfil Corporation (*Additional works, &c. Supply*). c. xcvii.

Class VII.—Water Supply—*continued.*

Metropolitan Water Board (New Works). c. cxviii.
Oystermouth Urban District Council (*Transfer of undertaking of Company. Additional works. Supply, &c.*). c. lxi.
Paignton Urban District Council (*Additional works, &c.*). c. liv.
Rhondda Urban District Council (*Additional works. Extension of time.*) c. ciii.
Rotherham Corporation (*Power to construct service reservoir, &c.*). c. cxvi.
St. Helens Corporation. c. cxvii., Part V.
Slough Urban District (*Transfer of undertaking of Company, &c.*). c. xx.
Swinton Urban District Council (*Confirmation of existing, and construction of additional, works, &c.*). c. xviii.
Thames Conservancy (*Abstraction of water by Metropolitan Water Board, payments by that board, &c.*). c. lvii.
Thorney Drainage (*Vesting waterworks in Drainage Board. Power to supply, &c.*) c. clxxxvii.
West Cheshire (*Confirmation of existing works. Softening. Additional capital, &c.*). c. xlix.
Wirral (*Confirmation of existing works. Additional capital, &c.*). c. l.

[*For Acts confirming Provisional Orders relating to Water Undertakings, see* Class XVI. (5), (10 (*b*)), (14).]

Class VIII.—Drainages and Drainage Embankments.

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I. " " Ireland exclusively.
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Printed by Eyre and Spottiswoode, Ltd.,
for
Rowland Bailey, Esq., C.B., M.V.O., the King's Printer of Acts of Parliament.

BIBL.
LONDIN.
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01 20 MAR 1969